

Capital Area Transportation Authority

Multi-Modal Gateway Art in Transit Public Art Project

Request for Proposal Project # 2016-102

SCHEDULE OF ACTIVITIES

RFP Released:	January 13, 2016
Written Questions due to CATA:	January 29, 2016 at noon
Pre-Proposal Meeting:	February 2, 2016 at 1:00 PM
Responses to Questions released:	February 5, 2016
Phase 1, Task 1 - Preliminary Designs Due:	Submit 7 proposal copies and 1 electronic (PDF) copy on CD/DVD or flash drive by 2:00 PM on February 26, 2016
Phase 1, Task 2 . Presentations Due Date:	March 11, 2016
Phase 2, Task 1 . Final Design Due Date:	Submit 7 proposal copies and 1 electronic (PDF) copy on CD/DVD or flash drive by 2:00 PM on April 1, 2016
Anticipated Contract Award Date:	May 18, 2016

Released On January 13, 2016

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SECTION 1: PROCUREMENT PROCESS

1-A Issuing Office

This Request for Proposal (RFP) is issued by Capital Area Transportation Authority (CATA), 4615 Tranter Street, Lansing, MI 48910.

All communications regarding this project during the procurement process must be addressed to CATA's Purchasing & Contracts Manager:

Ms. Susan Holmes
Purchasing and Contracts Manager
Capital Area Transportation Authority
4615 Tranter Street
Lansing, MI 48910
Fax: (517) 394-3733
E-mail: sholmes@cata.org

1-B Project Management

The person designated to perform as CATA's Project Manager **AFTER AWARD** of the Project is named below. This person is not to be contacted by respondents prior to award. The only CATA contact during the RFP process is CATA's Purchasing & Contracts Manager named above.

Ms. Lane Masoud
System Planner
Capital Area Transportation Authority
4615 Tranter Street
Lansing, MI 48910

1-C Project Oversight

The oversight of this CATA Project is the responsibility of the CATA Project Manager named in Project Management Section above.

The Contractor will be required to work with CATA staff and service agencies as directed by CATA throughout the duration of the Contract and attend Progress Meetings as required by the CATA Project Manager.

1-D Incurring Costs

CATA is not liable for any cost incurred by any party prior to signing of a contract with that party and then only upon written authorization from CATA to proceed with the project.

1-E Contract Term

The contract shall enter into force on the date on which it is signed by the last Contracting Party and continue until project completion based on agreed upon project schedule.

1-F Contract Extension

CATA reserves the right to extend the term of any contract resulting from this RFP for up to one year. Any extension will be in writing.

1-G Type of Contract

This is a fixed price contract.

1-H Questions/Changes to the RFP

It is the desire of CATA to provide the same information to all interested parties to ensure fairness and impartiality in the procurement process. To that end, CATA will not respond to telephone inquiries or personal visits. Visitation by respondents or their representatives may be made to CATA only at the pre-proposal meeting, if held. All questions are to be submitted in writing. **Submit written questions (via U.S. postal service, e-mail, or fax) to the CATA Purchasing & Contracts Manager at the address indicated in Section I above no later than the date and time indicated on the Schedule of Activities above.** Any changes made to this RFP, in response to the questions or concerns raised in any scheduled pre-proposal meeting or through correspondence received by CATA prior to the pre-proposal meeting, will be put in writing to all firms attending any scheduled pre-proposal meeting or otherwise indicating an interest in this project by the date stated on the above *Schedule of Activities* page.

1-I Pre-Proposal Meeting

See *Schedule of Activities* page above for date and time of any Pre-Proposal Meeting scheduled for this RFP. Any such meeting will be held at the CATA Administrative offices unless otherwise stated. The purpose of this meeting is to discuss with prospective contractors the work to be performed and to answer questions about this RFP. The pre-proposal meeting is for information only; vendor attendance is not mandatory. However, interested vendors are strongly encouraged to attend.

1-J Proposals

To be considered for award, each respondent must submit a complete response to the RFP, using the designated format (if any) and accepting the requirements of Sections II and III below. Proposals are to be submitted only to CATA. No other distributions of proposals are to be made. An official authorized to bind the respondent to the proposal must sign the proposal in ink. Submission of a proposal shall bind the respondent to all provisions of the proposal, including costs, for a period extending not less than one hundred eighty (180) days following the Proposal Due Date, which is stated in the *Schedule of Activities* above. Submit the number of proposal copies per the directions indicated on the *Schedule of Activities* page above. Proposals, including price sheets, must be submitted to CATA by the time and date set as the Proposal Due Date indicated on the *Schedule of Activities* page above. The respondent is solely responsible for the timely delivery of the proposal to CATA. Except as provided below, late proposals will not be considered.

Late proposals which are received after the Proposal Due Date may be considered, if the respondent establishes to CATA's satisfaction within five (5) days of the Proposal Due Date that the delay was due to an independent event outside the control of respondent, such as acts of God or the public enemy, war, national emergency, labor strikes, the failure of the U. S. Postal Service to deliver first-class, registered, or certified mail within five (5) days, or the failure of a national courier service recognized by CATA to deliver as guaranteed or specified. CATA will require documentation to excuse late delivery, including, but not limited to, signed statements or affidavits, postmarks, original postal receipts, courier receipts, and shipment tracking logs in a form satisfactory to CATA. All proposals submitted in response to this RFP will become the property of CATA and will not be returned to the respondent.

1-K Acceptance of RFP Content

The contents of this RFP, its attachments, and the proposal as it is consistent with the RFP will become contractual obligations if a contract ensues. Failure of the successful respondent to accept these obligations may result in elimination of the respondent from the selection process. CATA further reserves the right to interview the key personnel assigned by the successful respondent to this project and to recommend reassignment of personnel deemed unsatisfactory by CATA.

1-L Economy of Presentation

Each proposal should be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to be creative and to meet the requirements and objectives of this RFP. Emphasis should be on completeness and clarity of content.

1-M Primary Contractor Responsibilities

The selected contractor will be required to assume responsibility for all services offered in its proposal whether or not the contractor performs them. Further, CATA will consider the selected respondent to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract. If any part of the work is to be subcontracted, the prime contractor must provide a complete description of work subcontracted and descriptive information about the subcontractor's organization and capabilities. The prime contractor is totally responsible for adherence by the subcontractors to all provisions of the contract. CATA must review and approve in writing all subcontractors. All subcontractors must be included in the initial proposal with descriptions of the firms' qualifications and the qualifications of the key individuals assigned to this project.

1-N Other Duties Assigned by CATA

Because of the nature of this project, CATA is unable to determine all possible work components and tasks to be completed. The Contractor may be asked to provide additional service that has not been outlined in this RFP. When additional duties beyond those outlined in this RFP and in the Contractor's proposal are identified, CATA and the Contractor will discuss the Contractor's ability to complete this work. If CATA determines the Contractor should conduct the additional work, contractor will provide request for Task Order describing the work to be done and all associated costs. A written task order will then be issued by CATA.

1-O Selection Criteria

Responses to this RFP will be evaluated based upon the following factors as presented in the respondent's proposal.

Quality of art and design. Excellence in the quality of work, demonstrated by examples of past work, awards, recognition by peers and critics, and references.

Originality. A unique design that enhances the distinctive character and identity of the station.

Adherence to theme. Ability of the artist to capture the multimodal transportation theme as described in the project narrative (see Scope of Work).

References. List of references including specific contact names, addresses, telephone numbers, and e-mail addresses.

Demonstrated ability to complete the project on time and on budget. Respondents must demonstrate experience, ability, and willingness to work with CATA and provide evidence of successful engagements elsewhere with other customers on similar projects including photographs and site descriptions of previous projects, as well as relevant news articles, written letters of reference, etc.

Visibility. The scale and design are conspicuous to pedestrians and motorists approaching or exiting the station.

Durability. The artwork is able to withstand the typical range of local weather conditions, is resistant to vandalism, and has limited maintenance requirements as demonstrated in written proposal.

Understanding of the problem and objectives. As stated in the proposal and demonstrated by the written description of the project in the proposal.

Price.

Overall evaluation. Overall evaluation of the proposal and the vendor, with respect to vendor, satisfactory references, legal status and compliance, experience with other projects and procurements, and other matters of concern.

CATA will constitute an ad hoc committee to evaluate all proposals. Those artist(s) deemed by CATA to be responsible and responsive to the needs of CATA may be asked to make oral presentations to CATA and to discuss terms for the procurement. The artist(s) determined to be the most highly qualified based on the submitted proposal and any oral presentation may be asked to enter final negotiations. If the most qualified firm is unable to consummate agreement with CATA, then the next most qualified firm will be considered for award, and so on. At any time during this process, CATA reserves the right to re-bid, award, or cancel the project, as CATA determines.

Each prime contractor should make every effort to include Disadvantaged Business Enterprises in this project.

1-P Oral Presentation

Respondents may be required to make oral presentations of their proposals. These presentations provide an opportunity for the respondent to clarify the proposals through mutual discussion. This is not a time to simply review the contents of the proposal but to present to CATA your approach to this project and the uniqueness of the respondent's team in meeting the requirements of this RFP. Key members of the respondent's project team, including a representative from each subcontractor, must be part of the presentation. If held, the presentations will be on the date indicated on the cover of this RFP. **A maximum of 30 minutes will be allowed for each presentation, followed by 30 minutes for questions and answers (timing and duration to be determined by CATA).**

1-Q Independent Price Determination

By submission of a proposal, the respondent certifies, or, in the case of a joint proposal, each party thereto certifies as to its own organization, that in connection with this proposal:

- The prices in the proposal have been determined independently and without consultation, communication, or agreement for the purpose of restricting competition as to any matter relating to such prices with any other respondent or with any competitor.
- Unless otherwise required by law, the prices that have been quoted in the proposal have not been knowingly disclosed by the respondent prior to award directly or indirectly to any other respondent or to any competitor.
- No attempt has been made or will be made by the respondent to induce any other persons or firm to submit or not submit a proposal for the purpose of restricting competition.
- Each person signing the proposal certifies that she/he:
 - Is the person in the respondent's organization responsible within that organization for the decision as to the prices being offered in the proposal and has not participated (and will not participate) in any action contrary to the requirements indicated in the bullets above.
 - Is not the person within the respondent's organization responsible for the decisions as to the pricing being offered in the proposal but has been authorized, in writing, to act as an agent for the persons responsible for such a decision and certifying that such persons have not participated (and will not participate) in any action contrary to the requirements indicated in the bullets above.

1-R Pricing & Payment

One fixed-price must be submitted. This fixed price will include all costs related to fully complete the scope of work.

Payments will be made not more than once monthly. CATA pays on a 30 day basis. Payment to be made upon receipt and verification of the invoice for the previous month, along with confirmation of the receipt and acceptance of any required progress or other report, and proof of satisfactory work completion. No advance payments, CATA will consider milestone payment based on work completed if presented as an option in the proposal.

2-B Objectives of the Project

The specific objectives for this Project are as follows:

- Create a welcoming public space
- Attract and welcome visitors
- Highlight the multimodal nature of the station
- Emphasize our region's diverse and integrated transportation network
- Establish a local landmark

2-C Scope of Work

The following objectives delineate the specifications for this project. All proposals should fully describe the proposer's understanding of CATA's needs and how the proposer will accomplish meeting those needs. The specifications detail a minimum level of acceptable response to CATA's needs.

This RFP is for creating a piece of artwork at the Capital Area Multi-Modal Gateway in two stages: Preliminary Design and Final Design and Engineering. The selection of an artist will occur at the end of Phase I.

Phase 1

Task 1. Preliminary Design

As a part of their submission, each artist shall propose one or more (but no more than three) conceptual approaches to the work. Each conceptual approach submitted must include a narrative description of the artist's understanding of the project and the design intent.

Task 2. (\$200) Presentations

If selected for Phase 2, the artist must prepare a presentation outlining the sources and methodology used to develop the initial design, which may include research or input from the community and key stakeholders. Additionally, the artist must provide information about the scale, materials, general maintenance requirements, and fabrication and installation methods.

Phase 2

Task 1. Final design

With authorization to proceed, the artist(s) will provide drawings and information sufficient for review by the art selection committee. This may include:

- Engineering of critical parts
- Material samples
- Detailed maintenance summary
- Specifications for installation
 - Methods for fixing the statue
 - Design documents for any anchors

Task 2. Construction/Installation

Upon approval, the artist will fabricate the sculpture(s) for installation. Periodic inspection during fabrication will be required.

Task 3. Documentation of Future Artwork Maintenance

The artist must provide detailed documentation of long-term maintenance strategies and processes for the statue and any accessory materials.

Task 4. Outreach

Participate in ribbon-cutting ceremony and/or outreach to press, if requested.

2-D CATA Responsibility

CATA will provide:

- General site information
- Access to site

2-E General Requirements

Timeliness: The services of the successful respondent are to commence upon execution of the contract and receipt of the purchase order and shall be undertaken and completed so as to assure project completion on the date outlined in the Artist's proposal.

Meetings: The successful respondent (Artist) shall meet with the CATA Project Manager during the project at least monthly. These sessions may be conducted over the telephone, in person, or via e-mail, as determined by the CATA Project Manager. The Contractor shall make immediate phone calls to the CATA Project Manager if any significant problems are encountered during the project.

Progress Reports: The successful respondent shall provide monthly written progress memos to CATA's Project Manager. These reports will identify work accomplished, problems encountered during the past month, methodology and timeline for resolving these problems and the activities planned for the upcoming month. These memos shall be provided to the Project Manager by the 10th day of each month. The report can be faxed, mailed or e-mailed to the Project Manager.

2-F Deliverables

All documents and reports provided as deliverables, as outlined in this RFP, must be delivered to CATA's Project Manager on the pre-established deadlines. Three copies must be provided. In addition, if the deliverables are to be available electronically.

2-G Proposal Requirements

Respondents mailing proposals should allow normal delivery time to ensure timely receipt.

- Sketch(es) that adequately portray the proposed design to scale.
- Description of the artwork that explains artist's understanding of the project and how it relates to the multimodal theme.
- Description of the complexities of installation.
- Fixed costs, categorized by cost of labor and cost of materials.
- Detailed description of Respondent's plan for implementing Scope of Work; Respondent's detailed technical work plan including such things as a proposed schedule/time line, written plan to accomplish all project tasks, and list of deliverables by task.
- Samples of previous work similar to the Capital Area Multi-Modal Gateway Art in Transit Project. Respondents need to briefly describe each art piece, provide photographs, identify locations, and provide references: a contact person, phone number and address, as well as describing the Respondent's involvement in the project.

- Description of work to be performed by certified DBE firm(s).
- Description of lifelong maintenance required to preserve artwork.
- Statement of Agreement with CATA Standard Terms & Conditions and the RFP.
- Statement of compliance and agreement to continue compliance with Federal and State laws and regulations, including regulations of the Federal Transit Administration (~~%FTA~~) and the Michigan Department of Transportation (~~%MDOT~~).
- Detailed timeline for each task including key meetings and critical tasks.
- Additional Information and Comment . include any other information that is believed to be pertinent, but not specifically asked for elsewhere.
- A list of any work that is to be sub-contracted and a description of the qualifications of the Prime Contractor and each Sub-Contractor on the team.
- An organizational chart of the Respondent and all Sub-Contractors.
- The name and telephone number of person(s) in the Respondent's organization authorized to negotiate/expedite the proposed contract with CATA.
- All forms attached to this RFP, fully executed.

2-H Cost of Project

Respondents must include with their proposal detailed and complete project costs and separate costs by task for labor and for materials summing to the total fixed price for the project. Please also include costs of permits and utility installation, if applicable.

SECTION 3: COMPLIANCE REQUIREMENTS

3-A FTA and MDOT Required Clauses

The Contractor will comply with all relevant procurement and contract requirements of the Federal Transit Administration (FTA) and the Michigan Department of Transportation (MDOT).

The website address of the Federal Transit Administration is www.fta.dot.gov.

The website address of the Michigan Department of Transportation is www.michigan.gov.mdot.

The Contractor shall furnish to CATA, certificates of compliance with all such laws, rules and regulations. The Contractor shall, at its own expense, be responsible for obtaining all necessary permits and licenses required for performance of the Contract.

All contractual provisions required by MDOT or mandated by FTA as set forth in FTA Circular 4220.1F, are hereby incorporated by reference. The Contractor shall not perform any act, fail to perform any act or refuse to comply with any CATA requests which would cause CATA or the Contractor to be in violation of FTA or MDOT terms and conditions.

3-B Disadvantaged Business Enterprises

Disadvantaged Business Enterprises (DBE) are encouraged to bid on this project. Any applicable DBE firm certifications must be included in the proposal. Cost Proposals must list the amount and activity of service provided by the DBE firm, as applicable. Information on becoming certified as a Disadvantaged Business Enterprise is available from Michigan Department of Transportation (MDOT) at the following website address: <http://mdot270.state.mi.us:8080/UCP/HomePageServlet>.

3-C Ownership

All original renderings, written documents, calculations, and work products produced by CONTRACTOR, whether produced on paper or electronic media or otherwise in performance of this Agreement, shall be the property of CATA. CONTRACTOR shall have the right to retain a copy of such renderings, written documents, calculations, and work products. CONTRACTOR shall make available to CATA copies of all CONTRACTOR correspondence, notes, and other papers relating to the work, upon request of CATA. All works of original authorship created in the scope of this Agreement are "works made for hire", as that term is used in connection with the U.S. Copyright Act. To the extent that by operation of law CONTRACTOR retains any intellectual property rights to any work product, CONTRACTOR hereby irrevocably assigns and licenses to CATA all right, title, and interest in such work product, including copyrights and patents, and agrees to execute such assignments and licenses as may be required in the opinion of CATA's legal counsel to confirm this provision. The work product produced by CONTRACTOR in the performance of services under this Agreement is intended for use by CATA solely for the purpose intended. Any use or reuse of such work product by CATA for any purpose other than its intended purpose shall be at the sole risk of CATA and without any liability or responsibility of CONTRACTOR. To the extent that the work product produced by CONTRACTOR contains standard design or construction details or other standardized material previously developed by CONTRACTOR in its professional architectural, engineering, and planning practices, then CONTRACTOR shall have the right to reuse any such material on other projects for other clients or persons without the prior knowledge or permission of CATA and without the payment of any compensation to CATA, provided that the reuse or continued use of such material contains no CATA identifying information or confidential information.

3-D News Releases

News releases pertaining to this RFP or the services provided on the project to which it relates will not be made without prior written CATA approval, and then only in accordance with the instructions from CATA's Executive Director.

3-E Audit and Inspection of Records

In the case of all negotiated contracts, and contracts for construction, reconstruction, or improvement of facilities and equipment which were entered into under other than competitive bidding procedures, the Contractor agrees that the grantee, the Comptroller General of the United States, or any of their duly authorized representative shall, for the purpose of audit and examination, be permitted to inspect all work, materials, payrolls, and other data and records, and accounts with regard to the project. Further, the Contractor agrees to maintain all required records for at least three (3) years after grantees make final payments and all other pending matters are closed.

3-F Complaints or Protests

CATA's Procurement Protest Procedures are available from CATA's Purchasing & Contracts Manager.

3-G Contractual Terms and Conditions

See attached CATA Standard Terms and Conditions for details. The Contractor must state in their proposal that they agree to all Terms and Conditions.

APPENDICES

- Appendix A: CATA Standard Terms and Conditions
- Appendix B: Prohibition of Discrimination in State Contracts
- Appendix C: Assurances That Recipients and Contractors Must Make
- Appendix D: Disadvantaged Business Enterprise Policy
- Appendix E: Certificate Regarding Lobbying
- Appendix F: Certification Regarding Debarment
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