Request for Proposals (RFP) Addendum

Addendum Number: 1
Date of Addendum: 06/01/2017
Original Due Date, Time: 06/08/2017, 11:59 PM (MT)
Revised Date, Time (if changing): n/a
Title: RFP #168 Minnesota State Academy for the Deaf

SCOPE OF ADDENDUM
The following are changes to the RFP:

1. Responses to vendor questions are attached. The State does not anticipate issuing another addendum to provide additional information.

All responders must acknowledge receipt of this addendum by answering “Yes, I have received Addendum 1” in the CaFÉ application.
Question Number 1:
Just saw a MSAD dorm artwork vlog on Facebook. I teach visual arts at California School for the Deaf, Fremont. Also I am a professional artist. I created a lot of murals, and mosaic tile benches with Deaf theme at my school. Can you please email me some information about the artwork project. I need more information before I proceed with the artwork entry. Your prompt reply would be greatly appreciated.

Answer Number 1:
You can download the RFP from our current opportunities page at http://www.arts.state.mn.us/other/percent2/current-opportunities.htm

Question Number 2:
I am a local artist and I would like the opportunity to be included in the chance to be chosen for the #168 Minnesota State Academy for the Deaf art grant. I grew up in Faribault and know many deaf people, I have learned sign language in the 70’s and am in contact with our deaf community on a daily basis. the home that we live in currently was built by Olaf Hanson who was a deaf graduate, and I just think it’s that much more special. I’m just so thankful for this opportunity. I have hearing loss, and should have hearing aids but so far I’ve made it through life, but it’s getting more challenging. My reason for this email is to ask what would be the first thing for me to do, in order to apply for this Grant?

Answer Number 2:
The first step to submitting your qualifications is to obtain a copy of the full RFP document. For more information and to download RFP #168, follow this link or copy and paste the URL into your browser http://www.arts.state.mn.us/other/percent2/current-opportunities.htm

You should also understand that this is a competitive bidding process for a State of Minnesota contract to provide the goods and services necessary to design, fabricate, and install a work of public art for display at the Minnesota State Academy for the Deaf. It is not a grant. Grants are much more flexible than contracts. Failure to deliver under a State contract can have potential legal or financial consequences for all parties to the contract, whereas in the case of a grant typically a final report explaining the outcome is sufficient.

Question Number 3:
I have worked with a few children over the years who are deaf - how do you see our involvement? I'd be glad to offer some ballet and dance training in this format? I know from my minimum experience that Deaf limitations don't limit someone from feeling music and movement.
Answer Number 3:
This RFP is a competitive bidding process for a State of Minnesota contract to provide the goods and services necessary to design, fabricate, and install a work of public art for permanent display at the Minnesota State Academy for the Deaf.

Question Number 4:
In the RFQ for Frechette Hall, a hanging work is mentioned as a possibility for the LobbyAtrium space, but would a mural also be considered?

Answer Number 4:
Wall-based artwork will also be considered for the atrium space.

Question Number 5:
Greetings! This RFP is exciting - just wanted to ask can EU residents apply for this? I know a great Deaf artist who would be a perfect fit for this project of this great scale. He resides in Sweden. Alternatively, if we were to form a team, would it be allowable to have a member of the team to be international?

Answer Number 5:
As long as the primary applicant is a United States resident, the application would be eligible for committee review. In your case, that artist’s resume should be provided in the project personnel section of the application.

Question Number 6:
I am unclear if I should fill out “NO” or N/A as to whether I am a “targeted group business” and whether I am an "economically disadvantaged business". I am not certified for either, but since I do not reside in MN.

Answer Number 6:
You should answer “No” to all Targeted Group Statement questions in the application. The Office of State Procurement (OSP) operates the Small Business Procurement Program (SBPP) for Minnesota-based small businesses. There are three program areas, each with specific eligibility requirements; Targeted Group, Economically Disadvantaged, and Veteran-Owned.

Certified businesses may receive up to six percent preference during proposal evaluation when selling products or services to the state. To receive the preference for this opportunity your business should have been certified prior to the solicitation opening date, which was May 8, 2017.

For future opportunities, visit the SBPP web page for complete information about the program, and to submit an application if your business is eligible to participate. Call the OSP HelpLine for assistance at (651) 296-2600.
Question Number 7:
I have successfully registered, sent in my artwork to café and have started to fill out the application. Exhibit A (affidavit of non-collusion) I have printed out the form will sign it and then submit this. Attachment A. Responsible Contractor Verification & certification of Compliance * I’m not a contractor, I’m an artist with a small business, so what would you suggest that I do? Pg. 19 is a page I need to sign and send in. But I’m not sure how to fill this in. I have a clean record all the way around, tax payer, no problems with the law....

Answer Number 7:
[Minnesota Statutes 16C.285](https://www.revisor.mn.gov/statutes/text/16C/s16c.285) defines a “Contractor” as a prime contractor or subcontractor or motor carrier, and does not include a design professional or a material supplier. A “design professional” is a business or natural person retained to perform services on the project for which licensure is required by section [326.02](https://www.revisor.mn.gov/statutes/text/326/s326.02). A "material supplier" is a business or natural person that supplies materials, equipment, or supplies to a subcontractor or contractor on a project, including performing delivery or unloading services in connection with the supply of materials, equipment, or supplies; provided, however, that a material supplier does not include a natural person or business that delivers mineral aggregate such as sand, gravel, or stone that is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle.

As an artist that could potentially receive a contract to complete work on this project, your business would be considered a contractor as defined in the statute, and you will be required to certify that you are in compliance with the minimum criteria outlined in Attachment A. Responsible Contractor Verification & Certification of Compliance.

Question Number 8:
RE: Interior spaces for artwork. It was not clear to me where the artwork would be placed for the interior spaces. Are they the ones that are highlighted in yellow? please advise.

Answer Number 8:
The interior spaces are shaded in yellow. Refer to the section heading [Opportunities for Artwork Placement](https://www.revisor.mn.gov/statutes/text/16C/s16c.285) for specific sheets.

Question Number 9:
I am an acoustic sculpture that creates wind harps, that are not only auditory but also are very interactive on the tactile level. When the wind blows through these instruments, the vibrations can be readily felt through the body of the instruments. These instruments also can be manually played and experienced through touch. I noticed that this RFP is being given preference to those that are hearing impaired.

Technically I do not fit this category however my parents often told me that I was hard of hearing.
My question is in light of this notice is there any chance I could be awarded this contract, even if the concept is endorsed??

**Answer Number 9:**
This opportunity is open to working, professional artists or artist-led teams residing in the United States that are at least 18 years old. The selection committee has a preference for artists who are Deaf, Hard of Hearing, signers, late-deafened, deaf-blind, seeing, or CODA. This does not exclude you from submitting qualifications for their consideration.

**Question Number 10:**
I have a small business that is being upgraded to being a paying business, i have operated as more of a hobby and give a lot of my art work to missions, and people as gifts. I do sell my work also, but have been working full time outside of my art business, this however is changing to where i will be able to operate full time as an art business and will be making a living from my art business. the minimum criteria outlined in attachment A. Responsible contractor verification & Certification of compliance

Ben this is the question i have here, A. the Contractor= 1 is in compliance with worker’s compensation and unemployment requirements. i have not ever at this point payed myself for my art and have operated with the state as being legitimate, I’m registered, have my business registered i pay taxes… but will i still be considered eligible to apply if i don’t have any record with the work comp or unemployment people.

**Answer Number 10:**
Is your business excluded from Minnesota Workers’ Compensation requirements by Minnesota Statute §176.041? Refer to the section heading *Insurance Requirements* in the RFP for more information.

**Question Number 11:**
I am writing on behalf of a kinetic artist, to inquire whether the Arts Board will consider a proposal for an interior work only. The RFP specifies that the proposed artwork must be "suitable for interior or exterior display." Would you please clarify whether this mean "either/or" or "both"? The artist would like very much to submit his qualifications for this call, but notes that while the proposed budget of $66,000 is adequate for an interior work of his, it would not be sufficient for an exterior work.

**Answer Number 11:**
Refer to Section I. Project Overview, under the heading *Opportunities for Artwork Placement*. Contractors must place their work either indoors or outdoors. The word "or" is being used to link alternatives in this case.
Question Number 12:
Am I correct in assuming that I must complete and sign Attachment A (pages 17-19) even though I would be considered an independent contractor, and if so, should I just attach the final page that has my name and signature?

Answer Number 12:
All responders must upload the fully-executed (completed and signed) Responsible Contractor Verification and Certificate of Compliance form, found on pages 17-19 of the RFP. Please include all three pages of the form with your response.

Question Number 13:
I am an ASL student and I incorporate ASL into my performance art. The members of My dance company are learning ASL also. Could I possibly propose a live performance at the unveiling of the dorm art?

Answer Number 13:
The purpose of this RFP is to retain a contractor to design, fabricate, and install a permanent, site-specific public artwork at the Minnesota State Academy for the Deaf. Temporary artwork, while important to our communities and culture, cannot be the primary use of Percent for Art dollars because of legislative funding restrictions.

Question Number 14:
I received the call for art proposals for the academy. I am also a hearing impaired artist. I work primarily in 2D and it seemed the call was for 3D art. Am I mistaken? Also, is this one big project or will it be broken down to several artists? The images on the RFP are yellow, but is this an atrium? or are there walls to hang things?

Answer Number 14:
Artwork proposed for this project could be two-dimensional or three-dimensional. The purpose of this RFP is to retain a contractor to design, fabricate, and install a permanent, site-specific public artwork. The indoor space is a lobby/atrium. The ceiling is available for suspended artwork and the walls are also available for artwork placement.

Question Number 15:
There are numerous forms attached, including one that needs to be signed by a notary. Are these forms necessary now, or would it be after the finalists are selected? At this time I wouldn't be submitting a proposal, but images of my past work and statement of approach.

Answer Number 15:
The Affidavit of Non-Collusion is required, the Veteran-Owned Preference Form is only required if the applicant is claiming that preference and the Responsible Contractor Verification and Certification of Compliance is required.
Question Number 16:
I am artist with all of kinds, especially tile mural and painting. I read the design description. Double check is it only art ceiling? not on the wall? if it is only ceiling work- then I can submit design and let someone do the sculpture?

Answer Number 16:
Artwork proposed for this project could be two-dimensional or three-dimensional. The ceiling of the lobby/atrium is available for suspended artwork and the walls are also available for artwork placement. The primary artist on the project could work with a fabricator to implement the design. Make sure to submit the credentials of any potential collaborators in the project personnel section of the application. Keep in mind that this is a two-phase RFP. The State will evaluate artist’s qualifications in the first phase and the highest scoring artists will be invited to move on to the second phase of the RFP, during which they will develop design proposals for the project.

Question Number 17:
Hello, can I ask a few questions, by phone? If so, please send me your number.

Answer Number 17:
We have to collect all of the questions in writing so that we can publish them as an addendum to the RFP.

Question Number 18:
I am sorry to bother you with this but this is my first application. I have begun application to the RFP #168. I have selected works on cafe.org and attached a resume, and written. My question is HOW do I attach the non-collusion? Do I need to attach the entire RFP? Also How do I attach the Responsible Contractor? AND what is that? It's me right? This is first public art that I'm interested in applying for, altho' I've sat on panels to choose the art.

Answer Number 18:
Follow these steps for the Affidavit of Non-Collusion:

1. Print the Affidavit of Non-Collusion.
2. Sign it in the presence of a notary public and get their signature and stamp.
3. Scan the document as a PDF.
4. Upload it to your CaFÉ application by clicking the “Choose File” button in that section of the application.

Follow these steps for the Responsible Contractor Verification and Certification of Compliance, yes that is you:

1. Print the entire Responsible Contractor Verification and Certification of Compliance, found on pages 17-19 of the RFP.
2. Complete and sign the last page of the form.
3. Scan the entire form as a PDF.
4. Upload it to your CaFÉ application by clicking the “Choose File” button in that section of the application.
Question Number 19:
In the RFQ section entitled "Public Art Intent & Goals", you use the term "contemporary art." Do you mean abstract art or do you mean art that is currently made? I am wondering if you are excluding figurative, representational, and realistic art from your criteria.

Answer Number 19:
We would define contemporary art as art that is produced by artists that are living and working today.

Question Number 20:
In the RFQ section entitled "Public Art Intent & Goals", you use the term "contemporary art." Do you mean abstract art or do you mean art that is currently made? I am wondering if you are excluding figurative, representational, and realistic art from your criteria.

Answer Number 20:
We would define contemporary art as art that is produced by artists that are living and working today.

Question Number 21:
I am an artist working in Los Angeles- though for this project I plan of course to work with local Minnesota contractors and artisans who hold all the proper certificates and insurances needed in Minnesota. Responsible Contractor Verification and Certification of Compliance (required) is this required before I make my proposal? Or can I make this contact when and if my proposal makes it through? so basically...when in the application it says "required" does that mean eventually-before construction- it is required [ of course ] or does it mean before I even apply?

Answer Number 21:
You are required to submit the fully executed Responsible Contractor Verification and Certification of Compliance form with your response to this solicitation. If selected as a finalist, and ultimately chosen for the commission, you would be required to submit the First-Tier Subcontractors List prior to execution of the contract amendment. If during the course of design development, construction documents, etc. you were to retain additional subcontractors to work on the project, you would submit the Additional Subcontractors List.

Question Number 22:
I just printed out 21 pages on minn stte arts board, MPAPP, and MSAD project guideline. and have some reading on them. PHASE 1 submit resume, bio, and portfolio of artwork (mural) a. question: included budget what i had with New York School for the Deaf ceramics Mural?
Answer Number 22:
Refer to Section II. Instructions for Submitting Proposals of the RFP, under the heading Sample Budget. You should include a sample budget from a previously completed project that you're presenting in the work samples.

Question Number 23:
b. question about timeline on artproject work on ceramics mural after the building is done or during the construction?. i see the page 3 it mentioned november 1 2017. finalist is picked. AND artist create artwork. then only 2 months to finish by jan 2018? am I right? or do you have deadline for project?

Answer Number 23:
Refer to Section I. Project Overview of the RFP, under the heading Construction Schedule. Construction on the building began in January 2017 and in anticipated to be substantially complete by January 2018.

Now refer to Section I. Project Overview under the heading Projected Timeline. Finalists for the public art component of the project will be selected on June 30, 2017 and the committee's recommendation for the finalist's contracts will be approved by the Minnesota State Arts Board on July 10, 2017. Finalists will present their proposals to the committee on or around October 13, 2017, and the committee's recommendation for the artist that will receive the full commission (i.e., the "successful contractor") will be approved by the Minnesota State Arts Board on November 1, 2017.

Now refer to Section IV. Contract, under the heading Contract Term. The State desires to enter into a contract with the successful contractor in November 2017, and expects that the public art will be substantially completed by November 2018.

Question Number 24:
c. question budget/financial studio: Do I work with Minnesota state academy for the deaf students or just myself in my studio in maryland?

Answer Number 24:
Due to the tight timeline on this project, there will not be time to incorporate student work into the schematic design proposal phase. If the selection committee chooses to work with an artist that wishes to incorporate student work, there may be time during the fall of 2017 for student involvement in the production stage. The artist would have to pass a background check, work within MSAD’s class schedule, and expect to be supervised at all times by an employee of the school. Incorporating student involvement or participation in creating the artwork will not be a factor in selection of the winning proposal.
Question Number 25:
Can you help me get an understanding of the interior wall space? It is very hard to tell from the blueprints included in the RFP. I see that they will be made out of gypsum board (drywall) but I cannot figure out how much wall space is available for art work.

Answer Number 25:
Refer to the areas shaded in yellow on Sheet A5.1. Approximate wall space on the west wall of the lobby is 114 square feet. Approximate wall space on the east wall of the lobby is 137 square feet.

Question Number 26:
Would the selection committee be open to a mural on these interior walls?

Answer Number 26:
Wall-based artwork will also be considered for the atrium space.

Question Number 27:
There are a variety of ages attending the MN State Academy for the Deaf - will this dormitory house students of all ages?

Answer Number 27:
The new dormitory will house boys of all ages that attend the Minnesota State Academy for the Deaf.

Question Number 28:
Is there a high population of blind and deaf-blind students attending the MN State Academy for the Deaf?

Answer Number 28:
The Minnesota State Academies (MSA) oversees schools on two campuses in Faribault, Minnesota: the Academy for the Deaf (MSAD) and the Academy for the Blind (MSAB). During the 2015-2016 school year, 115 students attended MSAD and 50 attended MSAB. MSAB provides educational services to students that are blind, visually-impaired, and/or deaf-blind. Additional information about MSA can be found in the Agency Profile at http://www.mn.gov/mmb-stat/documents/budget/2018-19-biennial-budget-books/narratives-october-2016/state-academies.pdf.

Question Number 29:
I'm looking closely at Attachment A, the Prime Contractor Response -- I am a professional, individual artist living and working in the US, which I believe qualifies me to apply for this grant. I do pay taxes as an artist but I do not have a corporation or company that I operate under. I plan on hiring subcontractors to help me complete the work I am proposing for this grant, if I am selected. The Contract asks me to "certify by that I am the owner or officer of the company and to
swear under oath that: My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285, 2) If my company is awarded a contract, I will submit Attachment A-1 prior to contract execution." As an individual, professional artist do I need to do more to certify this? I have received MSAB grants in the past so I do have a state issued tax identification number if that is applicable?

**Answer Number 29:**
All responders are required to submit the fully executed Responsible Contractor Verification and Certification of Compliance form with their response to this solicitation. “Responsible Contractor” means a contractor that conforms to the responsibility requirements in the solicitation document (this RFP) for its portion of work on the project and verifies that it meets the minimum criteria outlined in the form.

**Question Number 30:**
Also, does this mean that I check "yes" to the question “Is the responder certified as an Economically Disadvantaged Business“?

**Answer Number 30:**
The Office of State Procurement (OSP) operates the Small Business Procurement Program (SBPP) for Minnesota-based small businesses. There are three program areas, each with specific eligibility requirements; Targeted Group, Economically Disadvantaged, and Veteran-Owned.

Certified businesses may receive up to six percent preference during proposal evaluation when selling products or services to the state. To receive the preference for this opportunity your business should have been certified prior to the solicitation opening date, which was May 8, 2017.

**Question Number 31:**
I am Deaf with a Cochlear Implant. Does this mean that I check "yes" to the question "Is the responder certified as a Targeted Group Business"?

**Answer Number 31:**
Refer to the answer for question number 30 in this addendum.

**Question Number 32:**
Since we are a dance company is it possible to have a live premiere and then a permanent video installed inside? I think the idea is innovative, since we regularly work with the DHH students at the MSAD in Faribault.
Answer Number 32:

The purpose of this RFP is to retain a contractor to design, fabricate, and install a permanent, site-specific public artwork at the Minnesota State Academy for the Deaf. Temporary artwork, while important to our communities and culture, cannot be the primary use of Percent for Art dollars because of legislative funding restrictions.