



REQUEST FOR QUALIFICATIONS (RFQ)

**BOZEMAN SWIM CENTER
PUBLIC ART INSTALLATION
LOCATION A1 (INTERIOR)**

CITY OF BOZEMAN

Bozeman, MT

City of Bozeman
PO Box 1230
Bozeman, MT 59771-1230

July 2024

NOTICE IS HEREBY given that the City of Bozeman (City) is seeking qualifications from artists for a commission of an interior “brick melt” vinyl mural at the Bozeman Swim Center.

Copies of the [Request for Qualifications](#) are available on the City’s website.

All submissions must be provided as a single, searchable PDF document file and be submitted digitally as an email attachment to the RFQ Recipient email address below. Respondents are advised that Recipient’s email attachment size limit is 25MB and that **only one PDF file will be allowed per response**. The subject line of the transmittal email shall clearly identify the RFQ title, artist name and due date/time. File sizes greater than 25MB in size may be uploaded to the City Clerks’ Office upon special arrangement of the Recipient; however, it is the respondent’s sole responsibility to ensure the file upload is completed, and that the Recipient is separately notified via email of same, prior to the given deadline. Please reference Section IV (page 6) for more information on the content that should be included in your submission.

Please deliver RFQ submissions via email to the City Clerk (email below) by **August 16, 2024 at 12:00 PM MST**. It is the sole responsibility of the proposing party to ensure that submissions are received prior to the closing time as late submittals will not be accepted and will be returned unopened.

The email address for all RFQ submissions is: procurement@bozeman.net

NON-DISCRIMINATION AND EQUAL PAY

The City of Bozeman is an Equal Opportunity Employer.

Discrimination in the performance of any agreement awarded under this RFQ on the basis of race, color, religion, creed, sex, age, marital status, national origin, or actual or perceived sexual orientation, gender identity or disability is prohibited. This prohibition shall apply to the hiring and treatment of the awarded entity’s employees and to all subcontracts.

As such, each entity submitting under this notice shall include a provision wherein the submitting entity, or entities, affirms in writing it will not discriminate on the basis of race, color, religion, creed, sex, age, marital status, national origin, or because of actual or perceived sexual orientation, gender identity or disability and which also recognizes the eventual contract will contain a provision prohibiting discrimination as described above and that this prohibition on discrimination shall apply to the hiring and treatment of the submitting entity’s employees and to all subcontracts.

In addition, pursuant to [City Commission Resolution 5169](#), the entity awarded a contract under this RFQ and any subcontractors must abide by the Equal Pay Act of 1963 and Section 39-3-104, MCA (the Montana Equal Pay Act), and affirm it will abide by the above and that it has visited the [State of Montana Equal Pay for Equal Work “best practices” website](#), or equivalent “best practices publication and has read the material.

Failure to comply with the above may be cause for the City to deem the submittal non-responsive.

Any administrative questions regarding submission procedures should be directed to: Mike Maas, City Clerk, at (406) 582-2321, procurement@bozeman.net.

Questions relating to the RFQ submission content and/or project scope should be directed to: Valeria Serrano Vélez, Curator, at valeria@ninedotarts.com, (720) 491-1307. The deadline for questions related to this document is 12:00 PM MST on August 8, 2024.

DATED at Bozeman, Montana, this July 20, 2024.

Mike Maas
City Clerk
City of Bozeman

For publication on:
Saturday, July 20, 2024
Saturday, August 3, 2024

I. INTRODUCTION

The City of Bozeman (Owner), is seeking qualifications from artists for a commission of an interior “brick melt” vinyl mural at the Bozeman Swim Center.

The Owner intends to enter into a contract with the selected artist(s). The scope of this project will include the design of a horizontally-oriented mural for the Bozeman Swim Center, which should be in a vector file format (.AI, .EPS, .PDF), that will then be printed onto vinyl and installed inside the project site. Printing and installation are not included in the artist’s scope of work or the provided total budget (See Section II, page 5), as this will be handled directly by the City of Bozeman. Further information on the project scope can be found in the following sections of this document, and you may reference Section IV (page 6) for instructions on how to apply for this open call.

This RFQ shall not commit the Owner to enter into an agreement, to pay any expenses incurred in preparation of any response to this request, or to procure or contract for any supplies, goods or services. The Owner reserves the right to accept or reject all responses received as a result of this RFQ if it is in the Owner’s best interest to do so.

This procurement is governed by the laws of the State of Montana and venue for all legal proceedings shall be in the 18th Judicial District Court, Gallatin County. By offering to perform services under this RFQ, all Submitters agree to be bound by the laws of the State of Montana and of the Owner, including, but not limited to, applicable wage rates, payments, gross receipts taxes, building codes, equal opportunity employment practices, safety, non-discrimination, etc.

II. SCOPE OF PROJECT - PROJECT DETAILS

A. Art Goals: The new public art collection at the Bozeman Swim Center aims to transform the space into an engaging and welcoming venue that celebrates the joy and activity of swimming, while also fostering a sense of community and connection. We have two art locations in this project: one indoor "brick melt" vinyl mural that will incorporate negative space, and a series of outdoor panels that should portray a cohesive narrative. Our indoor mural will set the tone for the swim space, offering a dynamic and vibrant experience that captivates everyone who enters. Meanwhile, the outdoor panel series should stand out, presenting an engaging story that resonates with the Swim Center’s surroundings, which include Bozeman High School and the Bridger Mountain Range.

We will invite submissions from national artists who can bring fresh insights and creative concepts to the project, but will prioritize working with artists local to the Montana region where possible to maintain a strong local connection. Both art locations should avoid depicting predatory aquatic creatures, instead focusing on uplifting narratives that may include animals, objects, and people connected to water or our relationship with local aquatic systems. Lastly, the art locations should refrain

from featuring specific mascots or swim team affiliations, instead aiming to create an inclusive, refreshed, and fun atmosphere for visitors of all skill levels and backgrounds.

B. Selection Criteria: Inclusive, Dynamic, Vibrant, Joyful, Fun, Aquatic, Immersive, Fresh

C. Additional Project Notes: We would encourage artists to consider the incorporation of negative space into their final designs, and/or play with non rectilinear design borders in order to maximize impact and coverage on our art location wall (see varying examples in the project concept board by artists Kendall Rose Kippley, Julia Williams, and Stevie Shao in Attachment B: PROJECT INFORMATION DECK). The mural should primarily feature an aquatic theme, though it may also incorporate elements related to Montana. Additionally, the client would prefer to avoid using text or human figures as the focal point of the mural's composition if possible.

Please be advised that we should refrain from using the following animals in the final mural composition, which are representative of specific nearby school mascots and/or swim teams: hawks, raptors, barracudas, brook trout, and stingrays. We want to make sure the final mural composition is inclusive of all, and do not want to suggest preference for any particular user group.

D. Location and Visibility: The "brick melt" vinyl mural is located above the swimming pool, providing a refreshed backdrop for patrons and serving as a striking visual feature during swim meets.

The site address of the Bozeman Swim Center is 1211 W Main St Bozeman, MT 59715

E. Scale: Please see site photos and elevations shown in Attachment B: PROJECT INFORMATION DECK for visuals of this art location. We are hoping for a rough coverage area of ~8'8"H x 43'4"W if possible (this area is outlined in red on the wall elevations for your reference). However, this is flexible and will depend on what the selected artist is able to achieve within their given budget, and the composition of their design. As aforementioned, we'd prefer for the artist to stray away from rectilinear design borders in order to avoid the look of a large rectangle on a big wall. Instead, the final design should incorporate some negative space, and it could even include smaller elements that stray away from the primary composition.

Please note that the current site photo shows a full coverage mural. The "brick melt" vinyl mural we will commission for this project will have less coverage than the original killer whale mural shows.

- F. Project Budget:** The “all in” budget for this project is \$6,600. This budget includes a comprehensive design of the mural that can be converted into a vector file format (.AI, .EPS, .PDF) for submission to a vinyl print shop. The artist will not be responsible for the costs associated with vinyl printing, installation, or any subsequent expenses following the submission of the vector file to the client.

Typically, after a finalist is selected and a mural design is approved, the artist will be paid an initial deposit (50% of total budget), with the remaining (50%) to be paid after the mural is approved by the art committee, completed, and the vector file is sent to the client. Please let us know if you foresee any conflicts with this payment schedule.

- G. Timeline:** The desired installation timeline for this interior “brick melt” vinyl is between the dates of January 6, 2025 - January 17, 2025, which allows for one month for the finalist artist to complete their digital design commission. Contracting with the finalist would approximately take place the first two weeks of November 2024, and the finalist would work on the commission between 11/18/2024–12/20/2024 (can be flexible if the finalist artist needs additional time).

III. SELECTION PROCEDURE

Respondents must comply with the mandatory requirements provided in this solicitation. The selection process shall be conducted pursuant to all applicable Montana law including those criteria set forth in §18-8-204, MCA and applicable City policy.

- A. Evaluation of RFQs:** The selection committee shall consist of no less than three persons representing the City. RFQ responses that do not contain the required documentation will be deemed nonresponsive to this solicitation and may be rejected.

Once all RFQ submissions are received, the selection committee will carefully review and score each application using the criteria listed below. Any Respondents eliminated by the selection committee, at any time, or for any reason, shall have no opportunity to make revisions or participate further in the selection process. The selection committee will then select up to a maximum of two (2) semi finalist artists to move forward with onto the proposal stage (Request for Proposals, or RFP).

Everyone will be notified of their application status once the semi finalists have been selected.

- B. Request for Proposals (RFP):** Semi finalists will be given four (4) weeks to create their site-specific proposals for the selection committee’s consideration. Each semi finalist will be paid a design fee stipend of \$250 to compensate them for their work and time. One round of proposal revisions (if applicable) is included within the \$250 design fee paid to each artist.

The project art consultant (NINE dot ARTS) will present each proposal (and revised proposal, if applicable) to the selection committee on behalf of the artists.

- C. Final Selection and Contracting:** Once a finalist artist has been selected by the committee, contract negotiations will take place with the City directly. The City may negotiate a contract with the next highest ranked Respondent if a contract cannot be made. After contract execution, the artist will be expected to share commission progress updates at 30%, 60%, 90%, and 100% completion, or as otherwise stated in writing within the contract.

IV. REQUEST FOR QUALIFICATIONS – INSTRUCTIONS FOR APPLICATION

Deliver one (1) digital copy prepared as follows:

i. General Guidelines:

- a. RFQ responses must be signed by the artist.
- b. RFQ responses must be contained in a single searchable PDF document not to exceed 20 pages total including whatever pictures, charts, graphs, tables, and text the artist deems appropriate to be part of the review of the artist’s qualifications. A separate transmittal letter, cover page, cover sheets, and dividers are exempted from the page limit (if applicable).
- c. Schedules may be submitted in addition to the page limit (if applicable).

ii. RFQ Submissions Should Include the Following Information:

- a. Introduction. Please include a short biography describing where you are based, background, and any relevant experience. In addition to this, please also include a statement that details your current practice and interests, including any themes you like to explore, materials/formats you work in, and why you think you would be a good candidate for this project.
- b. Experience. Respondent must demonstrate successful experience and capacity to act as a contractor on projects of similar size, type and complexity. Please provide a list with photos of recent relevant projects, along with the name, location, and overall budget of each. Describe your recent and current work for the City of Bozeman, if any.
- c. Artist Timeline and Budget. Please let us know how our estimated project timeline works (or doesn’t work) within your availability and timeline for a commission of this nature. If our timeline does not work for you, please share what completion date feels feasible. Additionally, please confirm your ability to work within our total project budget.

A. EVALUATION CRITERIA

Qualifications will be evaluated by the Selection Committee who will individually score them out of a total of 100 possible points based on the criteria below. The scoring criteria and possible point values are:

- 1. Respondent’s experience with projects of similar size and design (i.e.**

strength of artist's portfolio):

Possible Points: 25

2. Artist's qualifications (emphasis on Artist's work meeting art goals and selection criteria outlined in project roadmap):

Possible Points: 35

3. Capabilities to meet time schedule and project budget requirements:

Possible Points: 20

4. Does this candidate come from a historically underrepresented community, aligning with DEIBA (Diversity, Equity, Inclusion, Belonging, Accessibility) values?

Possible Points: 15

5. Present and projected workloads:

Possible Points: 1

6. Past projects/experience working with the City of Bozeman:

Possible Points: 1

7. Artist's location (local to Montana and/or regional):

Possible Points: 3

V. TIMELINES, DELIVERY DEADLINE, AND INSTRUCTIONS

All submissions must be provided as a single, searchable PDF document file and be submitted digitally as an email attachment to the RFQ Recipient email address below. Respondents are advised that Recipient's email attachment size limit is 25MB and that **only one PDF file will be allowed per response**. The subject line of the transmittal email shall clearly identify the RFQ title, artist name and due date/time. File sizes greater than 25MB in size may be uploaded to the City Clerks' Office upon special arrangement of the Recipient; however, it is the respondent's sole responsibility to ensure the file upload is completed, and that the Recipient is separately notified via email of same, prior to the

given deadline. Please reference Section IV (page 6) for more information on the content that should be included in your submission.

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A. Contact Information:

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Questions relating to the RFQ submission content and/or project scope should be directed to: Valeria Serrano Vélez, Curator, at valeria@ninedotarts.com, (720) 491-1307. The deadline for questions related to this document is 12:00 PM MST on August 8, 2024.

Amendments to Solicitation

Any interpretation or correction of this request will be published on the City’s webpage. The deadline for questions related to this document is 12:00 PM MST on **August 8, 2024**.

B. Upcoming Milestones:

Advertising dates:	Saturday, July 20, 2024 Saturday, August 3, 2024
Receipt of RFQs:	No later than 12:00 p.m. MST August 16, 2024
RFQ Review Complete by Committee:	September 3, 2024
Semifinalists Selected:	9/9/2024–9/20/2024
Semifinalists Create and Submit RFPs:	9/23/2024–10/18/2024
Selection of Finalist:	Week of October 28, 2024

With the exception of the advertising dates and advertised due date, the City reserves the right to modify the above timeline.

VI. FORM OF AGREEMENT

The final form of the contract documents will be disclosed to Respondents during contract negotiations.

VII. CITY RESERVATION OF RIGHTS

All submissions in response to this RFQ become the property of the City and public records and, as such, may be subject to public review.

A SUBMISSION IN RESPONSE TO THIS REQUEST FOR QUALIFICATIONS CONFERS NO RIGHTS UPON ANY RESPONDENTS AND SHALL NOT OBLIGATE THE CITY IN ANY MANNER WHATSOEVER. THE CITY RESERVES THE RIGHT TO MAKE NO AWARD AND TO SOLICIT ADDITIONAL REQUEST FOR QUALIFICATIONS AT A LATER DATE.

- A. This RFQ may be canceled or any or all responses may be rejected in whole or in part, as specified herein, when it is in the best interests of the City. If the City cancels or revises this RFQ, all Respondents who submitted will be notified using email.
- B. The City reserves the right to accept or reject any and all submissions; to add or delete items and/or quantities; to amend the RFQ; to waive any minor irregularities, informalities, or failure to conform to the RFQ; to extend the deadline for submitting RFQ's; to postpone award for up to 60 days; to award one or more contracts, by item or task, or groups of items or tasks, if so provided in the RFQ and if multiple awards are determined by the City to be in the public interest.
- C. The City reserves the right to reject the submission of any person/firm who previously failed to perform properly to the satisfaction of the City, or complete on time agreements of similar nature, or to reject the submission of any person/firm who is not in a position to perform such an agreement satisfactorily as determined by the City.
- D. The City reserves the right to determine the best qualified Respondents and negotiate a final scope of service and cost, negotiate a contract with other Respondents if an agreement cannot be reached with the first selected Respondents, or reject all submissions.
- E. The successful Respondents will be required to enter into a contract with the City, which will incorporate the Respondents' scope of service and work schedule as part of the agreement.
- F. This RFQ does not commit the City to award a contract. The City assumes no liability or responsibility for costs incurred by Respondents in responding to this request for qualifications or request for interviews, additional data, or other information with respect to the selection process, prior to the issuance of an agreement, contract or purchase order. **The Respondents, by submitting a response to this RFQ, waives all right to protest or seek any legal remedies whatsoever regarding any aspect of this RFQ.**

G. This project is subject to the availability of funds.

VIII. NONDISCRIMINATION AND EQUAL PAY POLICY

The City of Bozeman requires each entity submitting under this notice shall affirm, on a separate form provided, that it will not discriminate on the basis of race, color, religion, creed, sex, age, marital status, national origin, or because of actual or perceived sexual orientation, sexual preference, gender identity, or disability in fulfillment of a contract entered into for the services identified herein and that this prohibition on discrimination shall apply to the hiring and treatment of the submitting entity's employees and to all subcontracts it enters into in the fulfillment of the services identified herein. Failure to comply with this requirement shall be cause for the submittal to be deemed nonresponsive.

The City also requires each entity submitting under this notice shall affirm it will abide by the Equal Pay Act of 1963 and Section 39-3-104, MCA (the Montana Equal Pay Act), and has visited the State of Montana Equal Pay for Equal Work "best practices" website, <https://equalpay.mt.gov/BestPractices/Employers>, or equivalent "best practices publication and has read the material.

IX. MISCELLANEOUS

- A. **No Oral Agreements.** No conversations or oral agreements with any officer, employee, or agent of the City shall affect or modify any term of this solicitation. Oral communications or any written/email communication between any person and City officer, employee or agent shall not be considered binding.
- B. **No Partnership/Business Organization.** Nothing in this solicitation or in any subsequent agreement, or any other contract entered into as a result of this solicitation, shall constitute, create, give rise to or otherwise be recognized as a partnership or formal business organization of any kind between or among the respondent and the City.
- C. **Employment Restriction and Indemnity.** No person who is an owner, officer, employee, contractor, or consultant of a respondent shall be an officer or employee of the City. No rights of the City's retirement or personnel rules accrue to a respondent, its officers, employees, contractors, or consultants. Respondents shall have the responsibility of all salaries, wages, bonuses, retirement, withholdings, worker's compensation and occupational disease compensation, insurance, unemployment compensation other benefits and taxes and premiums appurtenant thereto concerning its officers, employees, contractors, and consultants. Each Respondent shall save and hold the City harmless with respect to any and all claims for payment, compensation, salary, wages, bonuses, retirement, withholdings, worker's compensation and occupational disease compensation, insurance, unemployment compensation other benefits and taxes and premiums in any way related to each respondent's officers, employees, contractors and consultants.

- D. **Accessibility.** Upon reasonable notice, the City will provide assistance for those persons with sensory impairments. For further information please contact the ADA Coordinator Mike Gray at 406-582-3232 or the City's TTY line at 406-582-2301.

- E. **Procurement.** When discrepancies occur between words and figures in this solicitation, the words shall govern. No responsibility shall attach to a City employee for the premature opening of an SOQ not properly addressed and identified in accordance with these documents.

- F. **Governing Law.** This solicitation and any disputes arising hereunder or under any future agreement shall be governed and construed and enforced in accordance with the laws of the State of Montana, without reference to principles of choice or conflicts of laws.

X. ATTACHMENTS

The following exhibits are incorporated in this RFQ:

Appendix A: Non-Discrimination Affirmation

END OF RFQ

Attachment A

NONDISCRIMINATION AND EQUAL PAY AFFIRMATION

_____ (name of entity submitting) hereby affirms it will not discriminate on the basis of race, color, religion, creed, sex, age, marital status, national origin, or because of actual or perceived sexual orientation, gender identity or disability and acknowledges and understands the eventual contract will contain a provision prohibiting discrimination as described above and this prohibition on discrimination shall apply to the hiring and treatments or proposer’s employees and to all subcontracts.

In addition, _____ (name of entity submitting) hereby affirms it will abide by the Equal Pay Act of 1963 and Section 39-3-104, MCA (the Montana Equal Pay Act), and has visited the State of Montana Equal Pay for Equal Work “best practices” website, <https://equalpay.mt.gov/BestPractices/Employers>, or equivalent “best practices publication and has read the material.

Name and title of person authorized to sign on behalf of submitter