

## **REQUEST FOR PROPOSALS FOR:**

### **Production Services (Sound, Lighting, Staging, Power, Equipment and Related Services) at City events**



**City of Rochester, NY  
Malik D. Evans, Mayor  
Rochester City Council**

#### **City of Rochester Bureau of Communications & Special Events**

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**Barbara Pierce  
Director of Communications & Special Events**

**Office of Special Events  
30 Church Street, Room 203A  
Rochester, New York 14614**

**Issue Date: January 11, 2023  
Due Date: February 13, 2023 by noon**

This RFP is available for download at [www.cityofrochester.gov/bidandrfp](http://www.cityofrochester.gov/bidandrfp)

## REQUEST FOR PROPOSAL

The City of Rochester, New York, is seeking proposals from qualified individuals or organizations (hereafter referred to as Respondent) to provide production services including sound, lighting, staging, power, equipment, and related services for various City productions, including, but not limited to, outdoor and indoor public music, festival, theatrical, and other public assembly programs.

### **I. BACKGROUND**

The City of Rochester's Office of Special Events has a potential year-round need for the provision of full-scale production services for a range of events. Examples include sound, stage, and lights for both large and medium-sized outdoor music series and concerts, basis sound services for events, sound and audio/visual equipment for annual speeches, and more. The locations of the events may include, but are not limited to, Dr. Martin Luther King, Jr. Park at Manhattan Square (353 Court Street), Parcel 5 (285 E. Main Street), the Liberty Pole, the Public Market and various parks, and some indoor locations if necessary. The number and type of events is subject to change in any given year. The organization must be amenable to setup in both indoor and outdoor locations, and understand that while the Office of Special Events will be aware of most dates at least 3 months in advance, others might be shorter notice.

### **II. TIMELINE**

<b>What</b>	<b>Who</b>	<b>Deadline</b>
Issue RFP	Office of Special Events	January 11, 2023
Deadline to Email Questions and/or provide email to receive answers to questions	Potential Proposer	Tuesday, January 17, 2023 by noon
Responses to Questions posted to website	Office of Special Events	Friday, January 20
<b>Submission of Proposals</b>	<b>Proposer</b>	<b>Monday, February 13, 2023 by noon</b>
Proposal Decision	Review Committee	Monday, February 20, 2023
City Council Vote	City Council	April 25, 2023
Contract Award	Office of Special Events	May 2023

### **III. COMMUNICATIONS**

All communications by parties who have indicated an intent to submit or have submitted a proposal in response to this RFP ("Respondents"), including any questions or requests for clarifications, submission of the proposal, requests for status updates about the proposal selection process and any other inquiries whatsoever concerning this RFP shall be sent, in writing, to the following City staff person ("City Contact"):

Kara Osipovitch, Special Events Operations Manager  
E-mail: [kara.osipovitch@cityofrochester.gov](mailto:kara.osipovitch@cityofrochester.gov)

No contact is permitted with any other City staff member with regard to this RFP during the RFP process unless specifically authorized in writing to the contact above. Prohibited contact may be grounds for disqualification.

To ensure that all Respondents have a clear understanding of the scope and requirements of this RFP, the City will respond to all timely questions submitted via e-mail to the City Contact by the question deadline stated above. Questions and the responding answers will be sent via e-mail to all Respondents who have provided an e-mail address to the City Contact and will be posted on the City's web page for this RFP. The City's failure to timely respond or provide responses to any questions shall not delay or invalidate the City's right to make a decision to award an agreement pursuant to this RFP.

The City will make every reasonable effort to keep Respondents informed about the RFP process. Notifications about Timeline date changes, amendments to the RFP and other information about the RFP will be sent by e-mail to Respondents who have provided an e-mail address to the City Contact and will be posted on the City's website for this RFP. The City's failure to provide such information shall not delay or invalidate the City's right to make a decision to award an agreement pursuant to this RFP.

#### **IV. SCOPE OF SERVICES**

1. The City of Rochester has a year-round need for the provision of full-scale production services and ad-hoc equipment or service needs for a wide range of events.
2. Exact number and type of events are subject to change based on programming decisions and annual budget allocations.
3. The Contractor will be paid for services according to the unit price proposal submitted on Exhibit B.
4. The Contractor will be paid for any equipment rental required by specific contract riders for programs and not covered under this agreement *at the cost to the contractor* without any increase in cost or surcharge to the City. Invoices for rental of equipment must be submitted as proof of cost for payment.
5. The Contractor will set up and tear down any equipment related to programs, i.e. ramps, dance floors, chairs on stage, risers, banners or anything related to the performance, and will assist with the unloading and loading of performers' equipment.
6. Contractor's staff assigned to event shall be available to communicate with the City staff person on site or the City's designee. The Contractor may be expected to coordinate with an event's promoter.

#### **V. TERM**

As a result of the RFP process and upon City Council approval, the City intends to enter into a three year professional services agreement with two one-year renewal options, resulting in a potential of five years. This agreement term will begin on July 1, 2023.

Upon City Council approval, a Professional Services Agreement for a not-to-exceed annual amount will be negotiated with the company submitting the proposal judged as best meeting the needs of the City. Please refer to Exhibit A for a sample professional services agreement.

## **VI. PROPOSAL PREPERATION AND SUBMISSION PROCESS**

Respondent shall:

- Email the proposal and completed Exhibits B, C, and D to [kara.osipovitch@cityofrochester.gov](mailto:kara.osipovitch@cityofrochester.gov) by noon on **February 13, 2023**.

Proposals will not be considered if they are late or incomplete. If the City requires additional information to clarify a proposal, we will request it.

This RFP is designed to facilitate the evaluation and selection of a Consultant that is best able to achieve the City's objectives. The proposal shall contain a table of contents. All pages shall be numbered and major sections and all attachments shall be referenced in the table of contents. In order to enable the City to effectively review the information contained in the proposals, proposals shall reference the numbered and lettered sections of the RFP. The response to each section shall be clearly indicated and addressed or an explanation provided for why the Respondent is not submitting a proposal for a specific section or requirement of the RFP. If desired, the proposal may include an executive summary of no more than two pages.

Each proposal shall be signed by an individual authorized to enter into and execute contracts on the Respondent's behalf. Unless otherwise specified in its proposal, Respondent represents that it is capable of meeting or exceeding all requirements specified in this RFP.

Submission of a proposal shall be deemed authorization for the City to contact Respondent's references. Evaluation of proposals will be conducted by the City based on information provided in the Respondent's proposals and on such other available information that the City determines to be relevant. The evaluation of proposals may include an on-site assessment, meetings with authorized personnel, and may involve the use of a third-party consultant.

The Respondent selected by the City will be required to enter into a Professional Services Agreement (PSA) with the City (see **Exhibit A**, the City's standard PSA form). The establishment of a PSA is contingent upon approval by City Council for all Agreements in excess of \$10,000 or for a period of more than one year and upon the availability of funds for such an agreement. Unless otherwise stated in the proposal, the Respondent's response to this RFP shall be deemed its acceptance of the terms of this PSA.

## **VII. PROPOSAL CONTENT**

The following should be used for the response's Table of Contents and may be used as a checklist to make sure all required sections are completed.

- 1. Cover Letter**
- 2. Executive Summary**
- 3. Company Background**
- 4. Experience, Equipment & Qualifications**
- 5. References**
- 6. Cost Response (Attachment B)**
- 7. City Goals (Attachments C & D)**

All discussion of proposed costs, rates, or expenses must occur only in the cost response sections.

### **1. Cover Letter**

- a. Identify the submitting organization and principal;
- b. Identify the name and title of the person authorized by the organization to contractually obligate the organization;
- c. Identify the name, title, email address, and telephone number of the person to be contacted for clarification;
- d. Be signed by the person(s) authorized to contractually obligate the organization;
- e. Acknowledge receipt of any and all amendments to this RFP.

### **2. Executive Summary**

### **3. Company Background**

This section shall include, but is not limited to, the following information:

- a. A statement describing the history of the Respondent's company and the following details:
  - Official Name of Company
  - Headquarters Address
  - Telephone Number
  - Federal Tax ID Number
  - Number of years the company has been in business
  - The company's organizational structure
  - Names under which the business has operated within the last 10 years
  - Contact name, telephone number, e-mail address for questions concerning RFP response.
  - Is your company authorized and/or licensed to do business in the State of New York?
  - Does your company have an office in the City of Rochester or County of Monroe? Preference will be given to proposers located in the city of Rochester.
  - Does your company currently have any contracts / professional service agreements with the City of Rochester? If so, list them.
  - Has your company held contracts with the City in the past? If so, list the amounts, services performed, and the dates of the contracts.

#### 4. Experience, Equipment & Qualifications

- a. Provide detailed information concerning the background and experience of the proposer in providing sound, lighting, staging services and equipment for national touring artists, regional & local artists, festivals, and other related events.
- b. Demonstrate professional experience in the ability to provide for the pickup, delivery, set-up, operation, striking and return of equipment incidental to the offering of public programs.
- c. List at least 5 events (festivals, concerts, etc) and venues for which services and equipment have been provided, and attach or list the equipment and service details provided for each.
- d. Provide a specification sheet, including photos, of the company's equipment that can fulfill the items on Attachment 1.
- e. Provide the names, qualifications, and experience of personnel who will be assigned to provide services under this contract.
- f. Make sure to disclose any use of subcontractors that may be assigned work from this contract by name, location of business, and a contact from that business.

#### 5. References

- a. Client References
  - List five (5) clients who received similar services from the Respondent.
    - Note if they are current or former clients
    - Include client name, address, email address, and primary telephone number.
    - Detail services provided to the client.
- b. Business References
  - List three (3) business references (e.g. vendors, site contractors, etc.) who have worked with the Respondent on past major events.
    - Include reference name, address, email address, and telephone number.
    - If applicable, include references who have done business with the City or other nearby municipal entities.

#### 6. Cost Response

- Please provide per unit cost and equipment for each event in **Exhibit B**.

#### 7. City Goals

- a. MWBE and Workforce Goals: The Respondents shall provide the following statements:
  - i. Whether or not the Respondent is a New York State certified Minority & Women's Business Enterprise (MWBE).
  - ii. Whether or not the Respondent will use New York State certified MWBE sub-Promoters and what percentage of the total contract amount will be performed by said MWBE subcontractors.
  - iii. The total percentage of the Event team workforce that will be utilized to perform the work of this contract who will be either Minority (M) or Women (W), including both the Respondent's workforce and that of any

subcontractors who will be utilized. (Note – The Respondent’s workforce percentages shall be provided for the entire Event team.)

- b. **MWBE Form A (MWBE Utilization Plan):** This form shall be submitted as part of the proposal if respondent is a bona fide NYS-certified MWBE firm or will use bona fide MWBE subcontractors. The draft form can be found in **Exhibit C** of this RFP and shall be completed with the anticipated percentage of total contract column filled out and shall be included in the Respondent’s proposal.
- c. **Professional Promoter Services Workforce Staffing Plan Form:** This form must be submitted for all Respondents within the team and in addition, a single form which combines all personnel onto a single form. These draft forms can be found in **Exhibit D** of this RFP and shall be included in the Respondent’s proposal.

## **VIII. EVALUATION CRITERIA**

The following is a summary of the proposal evaluation criteria. It is within the City’s sole discretion to determine the value assigned to each of these criteria.

- 1. **Company Background- 10%**
- 2. **Experience, Equipment & Qualifications- 40%**
- 3. **Cost Response (Exhibit B)- 50%**
- 4. **City Goals (Exhibits C & D)- additional weight to total score as described**

The selection of a Consultant is within the City’s sole discretion and no reasons for rejection or acceptance of a proposal are required to be given. Although costs are an important consideration, the decision will be based on qualifications and compliance with the requirements of this RFP and not solely on cost. The City reserves the right to reject any or all proposals or to accept a proposal that does not conform to the terms set forth herein. The City further reserves the right to waive or modify minor irregularities in the proposals and negotiate with Consultants to serve the City’s best interest.

## **IX. CITY PROVISIONS**

### **LIVING WAGE REQUIREMENTS**

Rochester City Council adopted the Rochester Living Wage Ordinance (8A-18), effective July 1, 2001, which requires covered employers who are awarded City service contracts of \$50,000 or more to pay a Living Wage, as defined in the Ordinance, to their employees who perform work under the contract. As set forth in 8A-18D (1) of the Ordinance, if the total amount of the proposal is \$50,000 or more during the period of one year, a written commitment to pay all covered employees a Living Wage and a list of the job titles and wages levels of all covered employees in each of the years for which this agreement is sought shall be submitted with the proposal. A copy of the ordinance can be found through the web link at:

<http://www.cityofrochester.gov/index.cfm?id=571>

### **LOCAL PREFERENCE**



Pursuant to City Council Resolution No. 91-25, the City shall, when awarding professional services agreements, give preference to organizations located within the City of Rochester. The use of local individuals or companies as subcontractors is also encouraged. Non-local firms may wish to consider partnerships or other collaborative arrangements with local firms as a strategy to address this criterion.

Firms (primary Promoters) who respond directly to this proposal and are located within the City of Rochester limits will be awarded an additional 10% weighting as part of the evaluation process.

Responding Company	Weight Awarded
Firms (primary Promoters) who respond directly to this proposal and are located within the City of Rochester	10%

#### **MWBE AND WORKFORCE GOALS (for Professional Services Agreements)**

The City of Rochester desires to encourage minority and women owned (MWBE) businesses to participate in opportunities to enter into PSAs with the City and to encourage minorities and women in the workforce. Pursuant to Ordinance No. 2018-54, the City has a goal that 30% of the aggregate annual contract awards for professional service contracts over \$10,000 be awarded to minorities (M) and women (W). The MWBE utilization goal for this contract is 15% M and 15% W. The City has also established minority workforce goals of 20% M and 6.9% W for professional services consulting contracts. For more information please see <http://www.cityofrochester.gov/mwbe>.

Respondents shall be awarded MWBE bonus weighting as follows:

- 1) The City will give preference to Promoters who are New York State certified MWBEs. Promoters who meet this requirement shall receive **an additional weighting of 10%**.
- 2) The City will give preference to Promoters who utilize state certified MWBE sub-consultants with bona fide offices and operations in the Empire State Development Finger Lakes Region, which includes the following counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates. State-certified MWBEs from outside the Region may be counted if there are insufficient businesses in the Region to perform the specialized work or consulting services required. If one or more MWBE subcontractors will perform 10% to 20% of the work of the contract – measured as either a percent of the total contract amount or as a percent of the total full-time-equivalent labor hours budgeted for this Event, the Promoter shall receive **an additional weighting of 5%**. If MWBE sub-Promoters will perform more than 20% of the work of the contract, the Promoter shall receive an **additional weighting of 10%**. **(Note – if the Respondent is a New York State certified MWBE, they will not receive bonus weighting points by stating that they are self-fulfilling this requirement.)**
- 3) Respondents shall provide sufficient documentation with their proposal to support the additional preference weighting as an MWBE Promoter or for use of MWBE sub-Promoters. If one or more MWBE sub-Promoters are proposed, they must be named and the size of the subcontract identified. If selected, the Respondent shall submit an MWBE Utilization Plan on the City's form for approval by the MWBE Officer. Once approved, the Utilization Plan shall be incorporated into the PSA.

If the total amount of a PSA is increased by 5% or more at any time during the term of the PSA, the Promoter shall submit a revised MWBE Utilization Plan for approval by the MWBE Officer. The MWBE Officer may also issue a revised MWBE Utilization Plan for unforeseen changes in the availability of MWBE sub-Promoters during the term of the PSA.

- 4) The City will give preference to Promoters who meet or exceed the City's workforce goals, which are: 20% M and 6.9% W. Promoters who demonstrate that the Event team workforce that will be utilized to perform the work of this contract, including both the Respondent's workforce and that of any subcontractors who will be utilized, that meets or exceeds these goals shall receive an **additional weighting of 10%**. (Note – The final workforce percentages shall be provided for the entire Event team.) If selected, the Respondent shall submit a final Workforce Staffing Plan on the City's Form for review by the MWBE Officer. Once reviewed, the Workforce Staffing Plan shall be incorporated into the PSA. The calculated percentages of workforce utilization shall be based on actual hours worked and billed over the term of the Event. The final determination of the workforce goals accomplished during the contract shall be based on hours reported in the workforce utilization reports.
- 5) If selected, the Respondent shall provide a MWBE utilization and sub-Promoter/supplier payment certification and/or workforce utilization reports on the City's forms. These reports shall be submitted with each invoice or as otherwise requested by the MWBE Officer.
- 6) A failure to submit the required sub-Promoter/supplier payment certification and/or workforce utilization reports shall constitute a default in the performance of the Agreement subject to potential termination for default by the City. In addition, if the selected Respondent fails to meet the most recent MWBE Utilization Plan and/or Workforce Staffing Plan, for which additional weight was awarded by the end of the PSA, such failure may result in disqualification from award of future contracts with the City. Summary of additional evaluation weighting points for MWBE and Workforce Goals:

Category of Additional Evaluation Points	Additional Weight Awarded
Respondent is New York State Certified MWBE	10%
Utilize MWBE Sub-Promoters for 10-20% of work	5%
Utilize MWBE Sub-Promoters for more than 20% of work	10%
Meet or exceed workforce goals of 20% M and 6.9% W	10%

#### **MWBE AND WORKFORCE REPORTING (for Professional Services Agreements)**

The **selected Promoter** will be required to submit a workforce utilization staffing plan for meeting the workforce goals, and an MWBE utilization plan, on forms designated by the City under Professional Service Agreement. The Promoter may be required to file City provided forms quarterly, or as otherwise required by the City, to verify that MWBE goals and minority workforce goals for a specified task or Event are achieved. Examples of all forms are on the City's web site at: <http://www.cityofrochester.gov/mwbe/>

#### **OTHER CRITERIA**

Other criteria may be considered and evaluated by the City if it is determined to be in the best interest of the City and the success of the Event to do so.

#### **X. PRIME CONTRACTOR RESPONSIBILITY**

Any contract that may result from the RFP shall specify that the prime contractor is solely responsible for fulfillment of the contract with the City. The City will make contract payments to the prime contractor only.

#### **XI. SUBCONTRACTORS**

Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name. The prime contractor shall be wholly responsible for the entire performance whether or not subcontractors are used.

#### **XII. MISCELLANEOUS**

The City reserves the right to amend or withdraw this RFP in the City's sole discretion, including any timeframes herein, upon notification of all Respondents as set forth above, and in such case, the City shall have no liability for any costs incurred by any Respondent.

The City may request additional information from any Respondent to assist the City in making its evaluation.

The proposal and all materials submitted with the proposal shall become property of the City and will be subject to NYS Freedom of Information Law. If any proprietary information is submitted with the proposal, it must be clearly identified and a request to keep such information confidential must be submitted.

Submission of a proposal shall constitute a binding offer by Respondent to provide the services at the prices described therein until such time as the parties enter into a PSA.