



**CITY OF AUSTIN, TEXAS**  
Economic Development Department  
**REQUEST FOR QUOTATION (RFQ)**

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**SOLICITATION NO:** PG22-21080301032

**COMMODITY/SERVICE DESCRIPTION:**

Coordination of *People's Gallery 2022*

**DATE ISSUED:** August 18<sup>th</sup>, 2021

**PRE-RESPONSE CONFERENCE TIME AND DATE:**

Wednesday, August 25<sup>th</sup>, 2021, 6:30 – 7:30 p.m.

**REQUISITION NO.:** 5500-21080301032

**LOCATION:** Virtual Zoom:

<https://us06web.zoom.us/j/89492334295>

**COMMODITY CODE:** 96207

**QUOTE DUE PRIOR TO:**

5:00 p.m. on Wednesday, September 8<sup>th</sup>, 2021

**FOR CONTRACTUAL AND TECHNICAL ISSUES CONTACT:**

Blake Smith  
Financial Analyst III  
Economic Development Department  
Phone: (512) 974-7618  
E-Mail: [blake.smith@austintexas.gov](mailto:blake.smith@austintexas.gov)

**The Vendor agrees, if this Offer is accepted within 90 calendar days after the Due Date, to fully comply in strict accordance with the Solicitation, specifications and provisions attached thereto for the amounts shown on the accompanying Offer.**

**\*\*\*SIGNATURE FOR SUBMITTAL REQUIRED ON PAGE 3 OF THIS DOCUMENT\*\*\***

This solicitation is comprised of the following required sections. Please ensure to carefully read each section including those incorporated by reference. By signing this document, you are agreeing to all the items contained herein and shall be bound to all terms.

SECTION NO.	TITLE	PAGES
0100	STANDARD PURCHASE DEFINITIONS	*
0200	STANDARD SOLICITATION INSTRUCTIONS	*
0300	STANDARD PURCHASE TERMS AND CONDITIONS	*
0500	SPECIFICATION	11
0600	QUOTE SHEET – Must be completed and returned with Offer	1
0700	REFERENCE SHEET – Complete and return if required	1
0800	NON-DISCRIMINATION CERTIFICATION	1
0835	NONRESIDENT BIDDER PROVISIONS – Complete and return	1

**\* Documents are hereby incorporated into this Solicitation by reference, with the same force and effect as if they were incorporated in full text. The full text versions of these Sections are available, on the Internet at the following online address:**

[http://www.austintexas.gov/financeonline/vendor\\_connection/index.cfm#STANDARDBIDDOCUMENTS](http://www.austintexas.gov/financeonline/vendor_connection/index.cfm#STANDARDBIDDOCUMENTS)

**If you do not have access to the Internet, you may obtain a copy of these Sections from the City of Austin Purchasing Office located in the Municipal Building, 124 West 8<sup>th</sup> Street, Room #308 Austin, Texas 78701; phone (512) 974-2500. Please have the Solicitation number available so that the staff can select the proper documents. These documents can be mailed, expressed mailed, or faxed to you.**

**The undersigned, by his/her signature, represents that he/she is submitting a binding offer and is authorized to bind the respondent to fully comply with the solicitation document contained herein. The Respondent, by submitting and signing below, acknowledges that he/she has received and read the entire document packet sections defined above including all documents incorporated by reference, and agrees to be bound by the terms therein.**

Company Name: \_\_\_\_\_

Federal Tax ID No.: \_\_\_\_\_

Printed Name of Officer or Authorized Representative: \_\_\_\_\_

Title: \_\_\_\_\_

Signature of Officer or Authorized Representative: \_\_\_\_\_

**\* Completed Quote Sheet, section 0600 must be submitted with this Offer sheet to be considered for award**

## **Section 0500: Scope of Work**

### **5.0 Purpose**

The City of Austin (“the City”) seeks bids from Contractors to market and coordinate the *People’s Gallery 2022* exhibition at Austin City Hall from its artist call through its opening reception. Contractors and/or subcontractors must be qualified and experienced in all of the following tasks:

1. Coordinating the installation and de-installation of artworks in galleries or museums.
2. Developing and executing marketing plans to promote art exhibits.
3. Planning and hosting exhibit opening events.
4. Evidencing a commitment to equity, diversity, and inclusion in outreach to, inclusion of, and promotion of artworks to the public, and in attracting a diverse viewership of exhibited works.

### **5.1 BACKGROUND**

The *People’s Gallery*, located within Austin City Hall, is an annual art exhibit featuring works by local artists. The exhibit’s purpose is to showcase and promote the excellence of local artistic endeavors in the visual arts, to highlight the unique architecture and dynamic public space of the Austin City Hall, and to encourage public dialogue, understanding and enjoyment of visual art.

The *People’s Gallery* has represented more than 1,200 artists over its sixteen-year existence, and averages 50% to 60% new artists exhibiting each season. This exhibition provides opportunities for local artists to exhibit their works on City property, and for citizens and tourists to experience Austin’s arts and culture in the City’s premiere public facility.

The *People’s Gallery* annual schedule for 2022 is as follows:

- First Monday of January 2022 – 5-week open call to artists begins. Artists must submit an application and photos of up to five pieces of artwork through Submittable.com.
- Mid to End of February – A selection panel of three arts professionals recruited by the Contractor and approved by the City shall evaluate the artists’ submissions, which may exceed 1,250 artworks. The panel shall recommend approximately 100 artworks for inclusion in the next *People’s Gallery* exhibit, which shall be reviewed and approved by the City prior to exhibit.
- Early March – Contractor shall create a layout design with each approved artwork assigned to a location within City Hall.
- Late March – City staff shall review and give final approval of selected artworks and layout design.
- Early April – Notice shall be given to all applicants. Selected artists must confirm intent to display.
- Mid-April – *People’s Gallery 2020-21* artworks shall be de-installed, which requires coordination with approximately 100 artists from the outgoing exhibit, plus help from City staff to coordinate access to City Hall.

- Late April – *People’s Gallery 2022* artworks shall be installed. This requires coordination with City staff to ensure City Hall is prepped for the new exhibit, and coordination with approximately 100 artists selected for the 2022 exhibit.
- Late May (Exact date to be mutually agreed by City and Contractor) – An Opening Reception shall be held to celebrate the *People’s Gallery 2022* opening. The openings usually draw 1,200-1,500 attendees and are the largest City Hall event of the year.

**Additional Background:**

- Many of the tasks performed annually in support of *People’s Gallery* must be performed by, or closely coordinated with, City staff. The *People’s Gallery* is managed by the Cultural Arts Division of the Economic Development Department, and the division shall appoint a Contract Manager who shall be the Contractor’s liaison. The Contract Manager’s role is to:
  1. Coordinate internal review and approval by City staff of all deliverables in the scope of work below that require City approval.
  2. Coordinate and schedule tasks requiring support from other City departments and staff. However, the Contractor shall be responsible for tracking these tasks and “reminding” the Contract Manager to schedule tasks and to confirm completion of the tasks as needed.
- The artworks exhibited in the *People’s Gallery* have a significant individual and collective dollar value, and the City is responsible for any damages or loss during its custody of the artworks. Therefore, the City shall only allow a Contractor or subcontractor that is highly skilled and experienced in the installation and de-installation of artwork or museum exhibits to perform this work. The Contractor and subcontractors must provide all insurance coverages outlined in Appendix A of this solicitation.

**5.2 Marketing** – The Contractor shall be responsible for marketing and publicizing the *People’s Gallery 2022* from the beginning of the artist call in early January through its projected opening in late May 2022.

- 5.2.1. Marketing activities shall focus on two major events within the annual *People’s Gallery* cycle:
  - 5.2.1.1. An 8-week campaign designed to promote the *People’s Gallery 2022* artist call to the arts community. The campaign should begin on or about December 1<sup>st</sup> and end on or about January 31<sup>st</sup>.
  - 5.2.1.2. A 4-week campaign to publicize the *People’s Gallery 2022* opening reception, tentatively scheduled for late May 2022.
- 5.2.2. Within ten business days of contract execution, the Contractor shall submit recommendations to the City’s Contract Manager on the following:

- 5.2.2.1. The best and most cost-effective print and online venues for advertising *People's Gallery 2022's* artist call and opening reception that will reach the target audiences.
- 5.2.2.2. Ten non-City locations that can serve as distribution points for printed material such as rack cards.
- 5.2.3. Contractor shall be responsible for creating the following marketing collaterals:
  - 5.2.3.1. One press release for each campaign.
  - 5.2.3.2. Four social media posts for each campaign.
  - 5.2.3.3. One advertisement suitable for print and online advertising venues for each campaign.
  - 5.2.3.4. One 3" X 5" rack card for each campaign.
    - 5.2.3.4.1. The Contractor shall be responsible for printing of 1,000 rack cards on card stock from the contract budget
    - 5.2.3.4.2. The rack card for the opening reception must incorporate photos of selected artworks.
  - 5.2.3.5. Drafts of each marketing collateral item shall be submitted to the City Contract Manager, who shall be responsible for coordinating review and approval of them by the appropriate City staff.
  - 5.2.3.6. The City may ask Contractor for revisions as needed.
- 5.2.4. Distribution of approved marketing collateral shall be conducted as follows:
  - 5.2.4.1. Press releases – The Contractor shall work with the City to develop a mutually agreed process for distributing press releases; they may be distributed by the City or by the Contractor, or both.
  - 5.2.4.2. Social Media posts – The Contractor shall share responsibility with the City for social media marketing; approved social media shall be posted by the City and the Contractor as part of their respective ongoing social media activities.
  - 5.2.4.3. Advertisements – The Contractor shall be responsible for purchasing ad-space and placing approved ads in approved venues. The Contractor shall be responsible for paying advertising costs from the contract budget.

5.2.4.4. Rack cards – Contractor shall submit a PDF of the approved rack card design to the City Contract Manager for printing of 1,000 cards using City resources.

5.2.4.4.1. The Contract Manager shall distribute 500 cards to City facilities.

5.2.4.4.2. The Contractor shall distribute the remaining 500 rack cards to the 10 non-City facilities approved by the City.

**5.3. Artist Call** – Contractor shall coordinate the artist call for *People’s Gallery 2022*.

5.3.1. Contractor shall execute the approved marketing activities for the artist call beginning on or around December 1, 2021.

5.3.2. Contractor shall recruit candidates for a three-person panel to review and select artworks for *People’s Gallery 2022*.

5.3.2.1. Contractor shall submit each candidate’s qualification to serve on the panel for City review and approval.

5.3.2.1.1. The City reserves the right to reject any candidate.

5.3.2.1.2. Contractor shall recruit replacements for rejected candidates and submit the replacement’s qualifications for City approval.

5.3.2.2. Recommended panelists shall have the following qualifications:

5.3.2.2.1. Represents diversity in terms of race, gender/identity, age, experience, and artistic practice.

5.3.2.2.2. Has a portfolio of work or resume as a professional artist, curator, or arts administrator.

5.3.2.2.3. Has familiarity with the local arts community.

5.3.2.2.4. Embraces a commitment to inclusion of diverse backgrounds, media, and artistic content that broadens awareness and access by the public in the artists recommended for the exhibition.

5.3.2.3. The approved selection panel shall strive to present opportunity to those artists whose voices have been traditionally marginalized or underrepresented in community arts platforms.

- 5.3.3. Artists' applications shall be submitted and reviewed through the City's subscription to Submittable.com. Contractor shall be given access to the City's subscription and shall perform the following tasks in Submittable.com:
  - 5.3.3.1. Set up the *People's Gallery 2022* artist application using an existing template used by the City.
  - 5.3.3.2. Set up logins for the selection panel.
  - 5.3.3.3. Provide technical assistance to artists on submitting an application or uploading photos as needed.
  - 5.3.3.4. Download each artist's application and photos into an electronic file for that artist, save all artist files to a USB drive, and submit to the City Contract Manager for records retention purposes.
- 5.3.4. After the artist call closes, Contractor shall schedule/coordinate time for the panel to select approximately 100 works for *People's Gallery 2022*.
  - 5.3.4.1. The selection panel shall follow guidelines provided by the City in selecting the artworks.
  - 5.3.4.2. Panelists shall score each artwork on a 1- to 10-point basis and record their ratings on a spreadsheet "ballot" prepared by the Contractor, who shall submit the ballots to the City for records retention.
  - 5.3.4.3. Contractor shall compile the panel's scores for City review and submit to the City's Contract Manager.
- 5.3.5. The Contract Manager shall be responsible for coordinating review and approval of the selected artwork by the appropriate City staff and notify Contractor once approval has been obtained.
- 5.3.6. Following City approval, Contractor shall notify and coordinate with selected artists by:
  - 5.3.6.1. Obtaining their written acceptance or refusal of participation (email confirmation is acceptable).
  - 5.3.6.2. Preparing loan agreements with photo of selected work to be signed by the artist on drop-off of the selected artwork.
- 5.4. De-installation** – Contractor shall coordinate the de-installation of *People's Gallery 2020-21*.
  - 5.4.1. Contractor shall work with the City Contract Manager to:



- 5.4.1.1. Schedule de-installation and pick-up of *People's Gallery 2020-21* artwork.
- 5.4.1.2. Coordinate with City Building Services as soon as artwork removals have been scheduled, so that they can schedule touch-ups/painting of walls prior to installation of *People's Gallery 2022* artworks.
- 5.4.2. Contractor shall notify *People's Gallery 2020-21* artists about the de-installation and pick-up schedule at least 14 calendar days prior to scheduled pick-up date.
- 5.4.3. Contractor shall schedule, coordinate and/or perform de-installation of *People's Gallery 2020-21* artworks.
  - 5.4.3.1. Contractor is responsible for providing de-installation service using its own employees or a subcontractor from the budget of the contract
  - 5.4.3.2. For fragile or unwieldy pieces, Contractor shall schedule the artist to assist with de-installation.
  - 5.4.3.3. Contractor shall document any damages that may occur during de-installation and submit to the City Contract Manager.
- 5.4.4. Contractor shall coordinate the 2-day pick-up of *People's Gallery 2020-21* artworks by artists, staged at City Hall on a weekend, with City approval.
  - 5.4.4.1. Contractor shall document any damages claimed by artists and submit to the City Contract Manager.
  - 5.4.4.2. Contractor shall coordinate a disposal process for any unclaimed artworks.
- 5.5. Installation** – Contractor shall coordinate the installation of *People's Gallery 2022*.
  - 5.5.1. Contractor shall design the layout of selected artwork within City Hall for approval by City staff; the City shall provide guidelines for City Hall that must be followed.
  - 5.5.2. Contractor shall work with the City Contract Manager to:
    - 5.5.2.1. Schedule drop-off and installation of *People's Gallery 2022* artwork.
    - 5.5.2.2. Coordinate with City Building Services and Security.
  - 5.5.3. Contractor shall coordinate with selected artists:
    - 5.5.3.1. Notify *People's Gallery 2022* artists about the drop-off and installation schedule.

- 5.5.3.2. Request scripts from selected artists for the exhibit audio tour, and a photo of the artist to be displayed in the slideshow shown in the City Hall atrium during the opening reception.
- 5.5.4. Contractor shall coordinate drop-off of *People's Gallery 2022* artwork by the artists:
  - 5.5.4.1. Document condition of artworks as they arrive.
  - 5.5.4.2. Have artist sign the loan agreement and verify all documents are complete; document any changes to the loan agreement. Submit all documents to the City Contract Manager.
  - 5.5.4.3. Move artwork to its assigned position in the approved layout.
- 5.5.5. Contractor shall schedule, coordinate and/or perform installation of *People's Gallery 2022* artworks.
  - 5.5.5.1. Contractor is responsible for providing installation service using its own employees or a subcontractor from the contract budget.
  - 5.5.5.2. For fragile or unwieldy pieces, Contractor shall schedule the artist to assist with installation.
  - 5.5.5.3. Contractor shall document any damages that may occur during installation, as well as any changes to the layout, and submit to the City Contract Manager.
- 5.5.6. Contractor shall schedule, coordinate and/or perform mounting of labels for installed artworks.
  - 5.5.6.1. Contractor shall be responsible for designing, printing, and installing labels from the contract budget. The City shall provide a template to assist in designing the labels.
  - 5.5.6.2. Labeling must meet museum-grade standards.
  - 5.5.6.3. Labels must be reviewed and approved by the City's Contract Manager prior to installation.
- 5.6. Exhibit tour** – Contractor shall create an audio exhibit tour for *People's Gallery 2022* using the City's subscription to OnCell.
  - 5.6.1. Contractor shall edit the scripts submitted by the selected artists into an overall script for the OnCell exhibit tour and submit to the City Contract Manager for review.

- 5.6.2. The City Contract Manager shall facilitate review and approval of the script and may ask Contractor for revisions as needed.
- 5.6.3. Contractor shall then record the tour audio based on the approved script and create the OnCell tour, with images of each artwork.
- 5.6.4. The City must review and approve the OnCell tour prior to launch.

**5.7. Visitor's Guide** – Contractor shall design the *People's Gallery 2022* visitor's guide.

- 5.7.1. Successful proposer shall submit the proposed design for the visitor's guide to the City Contract Manager for review and approval.
- 5.7.2. The visitor's guide must incorporate photos and a description of each artwork.
- 5.7.3. The City may ask Contractor for revisions as needed.
- 5.7.4. Contractor shall submit a PDF of the final approved guide to the City's Contract Manager for printing using City resources. (Printing costs are the responsibility of the City, not contractor.)

**5.8. Opening reception** – Contractor shall plan and coordinate the *People's Gallery 2022* opening reception.

- 5.8.1. The opening reception shall be held on a date to be mutually determined by City and Contractor, from 6:00 to 9:00 p.m. at Austin's City Hall, 301 W. 2nd Street.
- 5.8.2. Contractor shall market the opening reception according to the approved marketing plan, which should be guided by inclusivity and access by all members of the public, but especially those from historically marginalized groups.
- 5.8.3. Contractor shall create a digital slideshow featuring photos of all *People's Gallery 2022* artists, to be shown on monitors in the City Hall atrium during the reception.
  - 5.8.3.1. Contractor shall create the slideshow using photos submitted by the artists, with each artist's name listed on their slide, and submit to the City's Contract Manager for review at least one week before the opening.
  - 5.8.3.2. The City Contract Manager shall facilitate review and approval of the slideshow and may ask Contractor for revisions as needed.
  - 5.8.3.3. The City Contract Manager shall also coordinate the display of the slideshow during the reception with the City's Communication and Technology Management department.

- 5.8.4. Contractor shall work with the City Contract Manager to ensure coordination and scheduling of:
  - 5.8.4.1. City Hall rooms used for the reception and all areas where artwork is displayed.
  - 5.8.4.2. Required support from other City departments (Building Services, Security, and Communications and Technology Management).
  - 5.8.4.3. Invitations to *People's Gallery 2022* exhibitor-artists to stand near their artwork to interact with attendees and answer their questions. The invitations shall be sent through internal City channels.
  - 5.8.4.4. Borrowing and return of City-owned "clickers" for counting attendance at the reception.
  - 5.8.4.5. Borrowing and returning "clamshells" from City Hall security for validating reception attendee parking.
  - 5.8.4.6. Setup and takedown of audio/visual equipment with the City's Communication and Technology Management department.
- 5.8.5. Contractor shall be responsible for payment of opening reception costs from the contract budget.
  - 5.8.5.1. Catered refreshments for approximately 1,000 attendees shall be served from tables in the atrium. Refreshments shall consist of light hors d'oeuvres and non-alcoholic beverages. (no red beverages allowed in City Hall.)
  - 5.8.5.2. An American Sign Language interpreter for hearing-impaired attendees.
  - 5.8.5.3. Music to be performed by local artist(s) during the reception.
  - 5.8.5.4. A professional photographer shall capture images of the event.
  - 5.8.5.5. The City shall provide a digital template for a printed 36" x 24" foam board mounted "Welcome" panel to be displayed in the City Hall Atrium. Contractor shall be responsible for printing costs.
- 5.8.6. The Contractor shall adhere to the following Opening Reception schedule and format:
  - 5.8.6.1. Setup must begin at 3:00 pm.
  - 5.8.6.2. 30 minutes must be scheduled mid-event for remarks made by Economic Development Department executive staff, Mayor and Council Members.

- 5.8.6.3. The band/musician(s) shall perform two music sets, before and after the mid-event remarks.
- 5.8.6.4. The photographer shall mingle with attendees and captures images of event for future promotion of People's Gallery.
- 5.8.6.5. Attendees shall be notified that the reception is ending 15 to 20 minutes before 9:00 p.m. so that post-event takedown and cleanup can begin.
- 5.8.6.6. Post-event takedown and cleanup must begin promptly at 9:00 p.m. and must be completed within 30 minutes.

## **6.0 Bid Submission and Minimum Contractor Experience**

- 6.1. In Section 0600 provide your cost quote.
  - 6.1.1. The City anticipates awarding a firm fixed amount not to exceed contract.
  - 6.1.2. Your cost quote should include labor, overhead, and all other costs necessary to deliver the services described in the scope of work.
  - 6.1.3. The City has established a budget of \$50,000 for this contract. However, your proposed cost quote should reflect your "best and final offer."
- 6.2. Contractors and subcontractors must demonstrate experience in marketing, installation and deinstallation of artworks, and event planning. In Section 0700 provide three references for projects your organization (or partner/subcontractor's organization) has performed or managed the following:
  - 6.2.1. Marketing services for art gallery or museum exhibits.
  - 6.2.2. Installation and de-installation for art gallery or museum exhibits.
  - 6.2.3. Event planning services for art gallery or museum exhibits.
  - 6.2.4. Outreach campaigns, exhibits, or events managed by your company or your subcontractor's company which demonstrated a commitment to equity, diversity, and inclusion.
- 6.3. Submit an organization chart that:
  - 6.3.1. Shows the supervisory and reporting structure between your project manager and your service delivery personnel and/or subcontractors.
  - 6.3.2. Identifies a single-point-of-contact for billing, follow up and problem resolution.

6.3.3. Demonstrates how the loss or absence of key personnel shall not compromise service delivery.

6.4. The contract resulting from this solicitation shall be for a single 12-month term.

**Section 0600  
REQUEST FOR QUOTATION—  
QUOTE SHEET RFQ No.:**

**DESCRIPTION:** Provide promotion, opening event coordination, curation, layout, and exhibit coordination of The People’s Gallery 2022 exhibition at Austin City Hall.

**Quote Due Date and Time:** Wednesday, September 8<sup>th</sup>, 2021 at 5:00 p.m.

**Awarded vendor shall be required to provide a Certificate of Insurance-see attached guidelines.**

Description	Hours/Units	Cost per Hour/Unit	Total Cost
<b>Total Bid Price</b>			

SIGNATURE: \_\_\_\_\_

PRINT NAME & TITLE: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

COMPANY EMAIL: \_\_\_\_\_

**Section 0700: Reference Sheet**

Please include the following information:

Responding Company Name \_\_\_\_\_

Project Name 1 \_\_\_\_\_

Company Name \_\_\_\_\_

Name/Title of Contact \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email \_\_\_\_\_

Project Name 2 \_\_\_\_\_

Company Name \_\_\_\_\_

Name/Title of Contact \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email \_\_\_\_\_

Project Name 3 \_\_\_\_\_

Company Name \_\_\_\_\_

Name/Title of Contact \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email \_\_\_\_\_



**Appendix A, INSURANCE REQUIREMENTS:** Insurance is required for this solicitation.

**A GENERAL INSURANCE REQUIREMENTS:**

- i. The Contractor shall provide a Certificate of Insurance as verification of coverages and endorsements required in Section B., Specific Insurance Requirements, to the City prior to Contract execution and within 14 calendar days after written request from the City. Failure to provide the required Certificate of Insurance may subject the Offer to disqualification from consideration for award. The Contractor must also forward a Certificate of Insurance to the City whenever a previously identified policy period has expired, or an extension option or hold over period is exercised, as verification of continuing coverage.
- ii. All endorsements naming the City as additional insured, waivers, and notices of cancellation shall indicate, and the Certificate of Insurance shall be mailed to the following address:

City of Austin Purchasing Office  
P.O. Box 1088  
Austin, Texas 78767  
OR  
[PURInsuranceCompliance@austinTexas.gov](mailto:PURInsuranceCompliance@austinTexas.gov)
- iii. The Contractor shall not commence work until the required insurance is obtained and until such insurance has been reviewed by the City. Approval of insurance by the City shall not relieve or decrease the liability of the Contractor hereunder and shall not be construed to be a limitation of liability on the part of the Contractor.
- iv. The City may request that the Contractor submit certificates of insurance to the City for all Subcontractors prior to the Subcontractors commencing work on the project.
- v. The Contractor's and all Subcontractors' insurance coverage shall be written by companies authorized to do business in the State of Texas and have an A.M. Best rating of B+VII or better.
- vi. The "other" insurance clause shall not apply to the City where the City is an additional insured shown on any policy. It is intended that policies required in the Contract, covering both the City and the Contractor, shall be considered primary coverage as applicable.
- vii. If insurance policies are not written for amounts specified in Section B., Specific Insurance Requirements, the Contractor shall carry Umbrella or Excess Liability Insurance for any differences in amounts specified. If Excess Liability Insurance is provided, it shall follow the form of the primary coverage.
- viii. The City shall be entitled, upon request, at an agreed upon location, and without expense, to review certified copies of policies and endorsements thereto and may make any reasonable requests for deletion or revision or modification of particular policy terms, conditions, limitations, or exclusions except where policy provisions are established by law or regulations binding upon either of the parties hereto or the underwriter on any such policies.
- ix. The City reserves the right to review the insurance requirements set forth during the effective period of the Contract and to make reasonable adjustments to insurance coverage, limits, and exclusions when deemed necessary and prudent by the City based upon changes in exposure, statutory law, court decisions, the claims history of the industry or financial condition of the insurance company as well as the Contractor.

- x. The Contractor shall not cause any insurance to be canceled nor permit any insurance to lapse during the term of the Contract or as required in the Contract.
- xi. The Contractor shall be responsible for premiums, deductibles and self-insured retentions, if any, stated in policies. Self-insured retentions greater than \$499,999 shall be disclosed on the Certificate of Insurance.
- xii. If any required insurance is written on a claims-made basis, the Certificate of Insurance shall state that the coverage is claims-made and the retroactive date shall be prior to or coincident with the date of the Contract and the coverage continuous and shall be provided for 24 months following the completion of the Contract.
- xiii. The insurance coverages specified in Section B., Specific Insurance Requirements, are required minimums and are not intended to limit the responsibility or liability of the Contractor.

B. **Specific Insurance Coverage Requirements:** The Contractor, consistent with its status as an independent Contractor shall carry and will cause its Subcontractors to carry, at a minimum insurance in the types and amounts indicated below for the duration of the Contract, including extension options and hold over periods, and during any warranty period.

- i. **Worker's Compensation and Employers' Liability Insurance:** Coverage shall be consistent with statutory benefits outlined in the Texas Worker's Compensation Act (Section 401). The minimum policy limits for Employer's Liability are \$100,000 bodily injury each accident, \$500,000 bodily injury by disease policy limit and \$100,000 bodily injury by disease each employee.
  - (1) The Contractor's policy shall apply to the State of Texas and include these endorsements in favor of the City of Austin:
    - a. Waiver of Subrogation, Form WC420304, or equivalent coverage;
    - b. 30 Days' Notice of Cancellation, Form WC420601, or equivalent coverage.
- ii. **Commercial General Liability Insurance:** Coverage with minimum bodily injury and property damage per occurrence limits of \$500,000 for coverages A (Bodily Injury and Property Damage) and B (Personal and Advertising Injury).
  - (1) The policy shall contain the following provisions:
    - a. Contractual liability coverage for liability assumed under the Contract and all other Contracts related to the project;
    - b. Independent Contractors coverage (Contractor/Subcontracted work);
    - c. Products/Completed Operations Liability for the duration of the warranty period;
    - d. If the project involves digging or drilling, provide Explosion, Collapse, and Underground (X, C, & U) Coverage.
  - (2) The policy shall also include these endorsements in favor of the City of Austin:
    - a. Waiver of Subrogation, Endorsement CG 2404, or equivalent coverage;
    - b. 30 Day's Notice of Cancellation, Endorsement CG 0205, or equivalent coverage;
    - c. The City of Austin listed as an additional insured, Endorsement CG 2010, or equivalent coverage.
- iii. **Business Automobile Liability Insurance:** Coverage for all owned, non-owned and hired vehicles with a minimum combined single limit of \$500,000 per occurrence for bodily injury and property damage. Alternate acceptable limits are \$250,000 bodily injury per

person, \$500,000 bodily injury per occurrence and at least \$100,000 property damage liability per accident.

- (1) The policy shall include these endorsements in favor of the City of Austin:
    - a. Waiver of Subrogation, Endorsement CA0444, or equivalent coverage;
    - b. 30 Days' Notice of Cancellation, Endorsement CA0244, or equivalent coverage;
    - c. The City of Austin listed as an additional insured, Endorsement CA2048, or equivalent coverage.
- C. **Endorsements:** The specific insurance coverage endorsements specified above, or their equivalents must be provided. If endorsements, which are the equivalent of the required coverage, are proposed to be substituted for the required coverage, copies of the equivalent endorsements must be provided for the City's review and approval.

**If you are a sole proprietor, with no employees and will self-perform the entire scope of work yourself then Worker's Compensation and Employers' Liability Insurance, does not apply to you.**

**If you are a sole proprietor, then modified Personal Automobile Liability Insurance requirements may apply to you. Request the statement of sole proprietorship to sign and date. The statement documents that you are a sole proprietor with no employees, subcontractors or independent contractors and that the only vehicle used to provide services is your personal vehicle.**