

**REQUEST FOR PROPOSAL**

**#9336016-16**

**FOR**

**Development of a Pop-up Gallery and Experiential  
Hub for Aboriginal Visual Arts Students**

**PROVINCE OF NEW BRUNSWICK**

**Post-Secondary Education, Training and Labour  
New Brunswick College of Craft and Design**

**SUMMARY OF KEY INFORMATION**

**ISSUE DATE:** September 29, 2015

**CLOSING DATE FOR VENDOR RESPONSE:**

**October 14, 2015 at 1:30 p.m. Atlantic (Fredericton, NB).**

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***PLEASE READ THE RFP VERY CAREFULLY TO ENSURE ALL REQUIREMENTS ARE MET.***

## 2.0 ADMINISTRATIVE REQUIREMENTS

The following terms will apply to this Request for Proposal and to any subsequent contract.

### 2.1 REQUEST FOR PROPOSAL TERMINOLOGY

<b>BUSINESS DAY</b>	Any day other than Saturday, Sunday or statutory holiday in the Province of New Brunswick.
<b>CONTRACTOR/SUPPLIER</b>	The successful proponent to this RFP who enters into a written contract with the Province.
<b>STRATEGIC PROCUREMENT</b>	The Strategic Procurement Branch of the Department of Government Services, Province of New Brunswick.
<b>PROVINCE</b>	Her Majesty the Queen in Right of the Province of New Brunswick and includes the Strategic Procurement Branch.
<b>RFP</b>	Request for Proposal.
<b>DEPARTMENT</b>	The Department of Post-Secondary Education, Training and Labour Province of New Brunswick
<b>NBCCD</b>	The New Brunswick College of Craft and Design
<b>PROPONENT/VENDOR</b>	An individual or a company that submits, or intends to submit, a proposal in response to this “Request for Proposal”
<b>MUST/REQUIRED/SHALL/WILL</b>	A requirement which <b>must</b> be met in order for the Proposal to receive consideration.
<b>SHOULD/DESIRABLE/MAY</b>	A requirement having a significant degree of importance to the objectives of the Request for Proposal.

## 3.0 GENERAL CONDITIONS

### **3.1 STANDARD TERMS AND CONDITIONS**

This Request for Proposals is subject to the Standard Terms and Conditions for goods and services tenders for Province of New Brunswick, Department of Government Services, Strategic Procurement Branch.

This RFP will be conducted in accordance with the *Procurement Act* and its Regulations.

### **3.2 MANDATORY REQUIREMENTS**

This Request for Proposal may contain mandatory requirements. **Proposals not meeting all mandatory requirements will be rejected without further consideration.**

### **3.3 CONDITIONS RIGHT TO AMEND**

The government reserves the right to amend or supplement the RFP, giving equal information and cooperation by way of issued addendum to all proponents as a result of any such amendment.

### **3.4 PROPOSAL INFORMATION**

Material, data and information accessed or provided by the government and used in the preparation of the proposals is confidential and the property of the government.

### **3.5 CHANGES TO PROPOSAL WORDING**

There will be no changes in the wording of the proposal after submission and no words or comments shall be added to the general conditions or detailed specifications unless requested by the Strategic Procurement Branch for purposes of clarification.

### **3.6 VENDOR INCURRED COSTS**

All costs incurred in the preparation and presentation of proposals in any way whatsoever shall be wholly absorbed by the Vendor.

### **3.7 INDEMNITY**

Unless otherwise expressly negotiated by the parties, the vendor will indemnify and save harmless the Province from and against all claims, demands, losses, damages, costs and expenses made against or incurred, suffered or sustained

by the Province at any time or times (either before or after the expiration or sooner termination of this agreement) where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the vendor or by any servant, employee, officer, director or sub-contractor of the vendor pursuant to the contract.

### **3.8 EVALUATION OF PROPOSALS**

A Committee formed for that purpose will evaluate all acceptable proposals. The right is reserved to make an award based directly on the proposals submitted or to negotiate further with the preferred proponent.

The Province of New Brunswick reserves the right to negotiate pricing, value added and other savings opportunities with the successful proponent at time of award and throughout the duration of the contract.

### **3.9 ACCEPTANCE OF PROPOSALS**

The Strategic Procurement Branch is not bound to accept the lowest price or any proposal of those submitted. Proposals will be assessed in light of the evaluation criteria.

Subsequent to the submission of Proposals, interviews and negotiations may be conducted with some of the proponents, but there shall be no obligation to receive further information, whether in writing or oral, from any proponent. The Province shall not be obligated in any manner to any proponent whatsoever until a written agreement has been duly executed relating to an approved proposal.

### **3.10 FINANCIAL INFORMATION**

Proponents may be requested to demonstrate financial stability during the evaluation process.

### **3.11 ADDITIONAL INFORMATION**

Proposals may contain additional information. If alternative solutions are offered, submit the information in the same format as a separate proposal.

### **3.12 ACCEPTANCE OF TERMS AND CONDITIONS**

Unless otherwise stated by the proponent, all terms and conditions of this RFP document are assumed to be accepted and incorporated in the proponent's submission.

### **3.13 VALIDITY PERIOD**

Proposals **must** be open for acceptance for at least 90 days after the closing date. Upon acceptance, prices will be firm for the entire contract period unless otherwise specified.

### **3.14 PROPOSAL SELECTION**

Once a decision has been made, the successful Vendor will be notified by the Department of Government Services. The committee will treat all proposals with strict confidentiality and comparative information on proposals will not be divulged except where required under the *Right to Information and Protection of Privacy Act*. A Purchase of Service Contract may be signed with the Vendor once final approval of the proposal is determined.

### **3.15 NEWS RELEASES**

Vendors shall not make news releases concerning the RFP or the awarding of the same without the written consent of the Province of New Brunswick and then only in coordination with the Province of New Brunswick.

### **3.16 CONFIDENTIALITY AND SECURITY**

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals.

The vendor must agree to maintain security standards consistent with security policies of the Province. These include strict control of access to data and maintaining confidentiality of information gained while carrying out their duties.

Information pertaining to any department obtained by the vendor as a result of participation in this project is confidential and must not be disclosed without written authorization from the department.

The vendor must comply with the Protection of Privacy regulations as set out in Part 3 of the *Right to Information and Protection of Privacy Act*. The Act creates obligations for the Province of New Brunswick and its services providers when personal information is collected, used or disclosed. Requirements include limiting collection, use, disclosure and retention of any personal information. For more information regarding this Act, please consult:

<http://laws.gnb.ca/en/showfulldoc/cs/R-10.6//20130627>

### **3.17 CONTRACT CANCELLATION**

The contract may be cancelled for, but not limited to, the following reasons.

If the contractor:

- Defaults in the observance of any of the conditions contained in the contract or specifications
- Has become insolvent
- Has committed an act of bankruptcy

If the Province:

- Cancels the annual budget allocation for this particular project.

### **3.18 NEGOTIATION DELAY**

If a written contract cannot be negotiated within thirty (30) days of notification to the designated vendor, the Strategic Procurement Branch may, in its sole discretion, with not less than two (2) business days notice, terminate negotiations with that vendor and either negotiate a contract with another vendor of its choice or choose to terminate the RFP process and not enter into a contract with any of the vendors.

### **3.19 CONTRACT FOR SERVICES**

Written notice of acceptance of a proposal by the Province, and the subsequent full execution of a written contract will constitute a contract for the services. No proponent will acquire any legal or equitable rights or privileges relative to the services until the occurrence of both such events.

### **3.20 COMPLIANCE WITH LAWS**

The vendor shall give all the notices and obtain all the licenses and permits required to perform the work. The vendor shall comply with all the laws applicable to the work or the performance of the contract.

### **3.21 PROPRIETARY RIGHTS**

All proposals, plans, drawings, specifications, technical data, designs, computer program reports or other information (hereinafter referred to as “data”) produced by the proponent in tangible form in the performance of the work to be provided under this contract, shall be the property of the Government of New Brunswick. The proponent shall be provided with copies of such data for its own use as may be required for the purposes of this contract. Proposals prepared by the proponent at its expense shall remain the property of the Government of New Brunswick.

### **3.22 NO LOBBYING**

Vendors should not initiate any communication or contact with elected or appointed officials of the government or their staff, staff of the Province of New Brunswick, or any other persons connected in any way with this Request for Proposals who have not been named as designated contacts, with the intent of influencing the RFP process. The Province reserves the right, in its absolute discretion, to disqualify any vendor that fails to comply with this procedure.

### **3.23 DEBRIEFING**

Unsuccessful proponents may request a debriefing with members of the evaluation committee following execution of a contract with the successful proponent.



## 4.0 SUBMISSION OF PROPOSALS

### 4.1 NUMBER OF COPIES

Each proponent should submit **6 copies** of their proposal, including one original and 4 copies, as well as one electronic copy on a USB storage device. As per section 7 of this RFP, please ensure that the electronic document containing the pricing submission is saved using a distinct file name, separate from the file containing the proposal. The original hard copy will be retained by the Strategic Procurement Branch of the Department of Government Services. It is the responsibility of the proponent to ensure that the original and all copies are identical.

### 4.2 DELIVERY OF PROPOSALS

All proposals **must** be received by:

**Central Tendering Branch  
Department of Government Services  
P.O. Box 8000  
Fredericton, NB  
E3B 5H6**

On or before 10 / 14 / 2015 / 1:30p.m. (Atlantic)  
mo. day yr. time

Hand deliveries can be made between 8:15 a.m. and 4:30 p.m., Monday to Friday inclusive to:

**Central Tendering Branch  
Department of Government Services  
Room 205, 2nd Floor  
Marysville Place  
20 McGloin Street  
Fredericton, NB  
E3A 5T8**

All proposals should be submitted in a sealed package with the **Proposal #** and the **closing date** clearly written on the face of the package.

**Proposals must be signed** by an official of the company who has the authority to bind the company to the statements in the submission.

**Late proposals will not be accepted and will be returned to the proponent.**

The proponent will not change the wording of its proposal after closing and no

words or comments will be added unless requested by the Province for purposes of clarification.

## 5.0 QUESTIONS AND INQUIRIES

All inquiries related to this RFP are to be directed in writing to the Strategic Procurement Branch, at the following address:

**Melanie MacLean  
Strategic Procurement Branch  
Department of Government Services  
20 McGloin Street  
Room 205, 2nd Floor  
Marysville Place  
Fredericton, NB E3A 5T8**

**Tel: (506) 444-2495 Fax: (506) 444-4200  
Email: [BidQuestionsSoumissions@gnb.ca](mailto:BidQuestionsSoumissions@gnb.ca)**

Proponent should include a contact name, a mailing address and a FAX number/ Email address (if available) on all correspondence.

All questions and responses will be made available to all proponents 1 (one) week before the closing date, through the issuance of an amendment/addendum. Further questions may not be accepted after this date.

All other information obtained from alternate sources cannot be considered official and/or accurate.

## **6.0 BACKGROUND INFORMATION**

### **6.1 GENERAL OVERVIEW OF THE DEPARTMENT / STRATEGIC SERVICES BRANCH:**

The Strategic Services Branch conducts research and evaluation on behalf of the Department of Post-Secondary Education, Training and Labour. The research work of the Branch falls into two broad categories: evaluation and research/labour market information.

All of this activity is carried out in partnership with Operational Units within PETL. One of the principles that the Department has agreed upon is that staff which are responsible for the delivery of programs will be involved in the design and implementation of research and evaluation. In this context, the Branch serves as a resource to various Branches and Divisions within the Department offering research, evaluation and project management services.

#### **6.1.2 New Brunswick College of Craft and Design (NBCCD)**

##### **Vision**

To be a centre of excellence, building a community of professional practice through applied and entrepreneurial learning in craft and design.

##### **Mission**

We are a learner-centered cultural community providing an excellent foundation for professional practice and personal development, fostering creative enterprise and applied learning in the art of craft and design.

#### **6.1.3 Aboriginal Visual Arts Program (AVA)**

Students examine the regional and cultural diversity of aboriginal art in context of traditional and contemporary development and trace this development through the study of different aboriginal art practices and the work of aboriginal artists and art movements. They discuss the nuances of various critical cultural issues through the uniqueness of aboriginal art forms, with an emphasis on the development of comparative analysis skills. They also conduct analysis of traditional and contemporary aboriginal art with that of other Canadian artists, crafts persons, and art movements. As well, they engage in a variety of art making that makes use of the technical, cultural and aesthetic aspects of aboriginal values, ways of thinking, and life in general.

The AVA program has played a significant role over the past four years for First Nations communities and the general public. The program is shorter in duration

than other diploma programs at the college that are preceded by the Foundation Visual Arts year, and there is a need to research the setup and support of a 'bridging year' for students from college to fulltime studio practices and entrepreneurial pursuits.

## **6.2 SERVICES REQUIRED BY THE DEPARTMENT OF POST-SECONDARY EDUCATION, TRAINING AND LABOUR**

The Department requires the services of a consultant to develop a comprehensive and sustainable business plan for the start-up and operation of a Pop-up Gallery to operate in the harbour-front area of the City of Saint John.

Dr. Verle Harrop created a feasibility study in 2015, entitled, "Positioning Aboriginal Visual Arts Students to Participate in Canada's Creative Economy: An Entrepreneurial Pop-Up Gallery and Experiential Hub. (VHARROP & ASSOCIATES INC, 2015). This study focused on:

- The background to "pop- up" retail venues nationally and internationally;
- The NBCCD's vision for the pop-up gallery and the possibility of an "Experiential HUB";
- The targeting of the cruise ship industry in Saint John and the cruise ship industry context for the development of the gallery or HUB, including the industry's contribution to Saint John's economy, number of ships and passengers involved, cruise ship spending patterns, visitor attitudes, cruise ship visitor pedestrian traffic patterns, and key players in the Saint John cruise ship industry. On 2015/09/08, Colin McPhail of the Telegraph-Journal, reported that "forty-six of the 59 cruise ships destined to make port in Saint John this year are slated to come between Sept. 7 and Nov. 3. – vessels that are carrying the bulk of the more than 120,000 passengers expected to enter the city this season. Port Saint John is projecting a rebound year after a record low passenger in total in 2014. Last year, the port saw 106,501, nearly half the 2010 total...With four new ships making the inaugural calls and some larger vessels scheduled to dock, the port is optimistic for a 120,000-passenger year.
- The Saint John city context, including a description of key components of the arts, historical, retail and entertainment sectors in the city;
- Local supporting networks able to assist with the development, evolution and maintenance of a gallery or HUB concept.

With the above-noted factors in mind the author reviewed NBCCD's original vision for a "pop-up" gallery that would enable its AVA graduates to retail their products, demonstrate an art or craft, and gain entrepreneurial experience.

As the study points out, it would be inappropriate for NBCCD, operating within PETL, to continue to control and manage the gallery or HUB initiative long-term; thus the need for an oversight model and governance structure. It is the opinion of those within NBCCD and PETL who have reviewed the feasibility study that the near-term effort should be aimed at establishing the supports for the “pop-up” gallery, keeping in mind the availability of additional supports for the HUB concept in the future; therefore a business model and organizational structure needs to be developed.

The key deliverables for this project are:

- 1) A Comprehensive Business Plan for Development of the Pop-up Gallery
  - Executive Summary
  - Market Analysis
  - Competitive Analysis
  - Company Description
  - Organization Structure
  - Operations Management
  - Marketing Plan
  - Service and/or Product Line (see report)
  - Funding Requirements
  - Financials (including budget)

The business plan must be submitted no later than December 15, 2015.

- 2) A Funding Proposal

In the attached feasibility study, several potential sources of funding have been identified. The successful proponent should research these funding sources in order to develop funding proposals to obtain the required funding to allow business start-up and ongoing support.

Page 29 of the attached report recommends the following research activities with regard to funding proposals:

1. Determine the business model for a free-standing non-partisan Hub and develop a budget and a strategic plan.
2. Identify federal funding sources and develop funding proposals.
3. Determine what an aboriginal governance structure would look like and how it would function.
4. Determine how to engage aboriginal artists and craft persons across NB and identify how best the Hub can meet their needs and aspirations.

For a more detailed description of the various aspects of the funding proposal requirements see page 28 of the attached document.

**All funding proposals created as a result of this research will be submitted to the targeted funding sources by NBCCD.**

Any funding proposals must be submitted by the contractor in time for review and consideration by NBCCD as to the most viable funding source. Funding proposals should be submitted no later than specific guidelines laid out by the funding agencies, and prior to March 31, 2016.

## **7.0 PROPOSAL CONTENT & REQUIREMENTS**

Proposals should include a table of contents, be presented in the following format and include a response to each question in the order in which it is asked. It is helpful to the evaluation committee if the corresponding section headings are utilized in your submission.

**NOTE: Responses to this RFP will be evaluated using a two (2) stage approach and as such all pricing information requested in section 7.3 must be submitted in a separate sealed envelope.**

### **7.1 MANDATORY REQUIREMENTS:**

- a) Submissions must be received in their entirety by the time and date indicated.
- b) Submissions must be signed by an official of the company who is authorized to sign on behalf of/and bind the company to statements made in their submission.

### **7.2 GENERAL REQUIREMENTS**

#### **7.2.1 COMPANY BACKGROUND**

Provide a brief summary of the history of your company including years in business, number of staff, location, etc.

#### **7.2.2 COMPANY REFERENCES**

Provide references of clients for whom you have completed a project of similar scope and nature as this project. Include a description of the project, Company name, address, telephone and fax numbers, and contact person.

#### **7.2.3 PROJECT TEAM**

Name employees who will be assigned to this project and provide relevant information including resumes and experience of each team member that particularly relates to their expertise that makes them suitable for this project.

#### **7.2.4 PROJECT TEAM REFERENCES**

Provide references from at least 3 clients for which each of the project team members have provided a service similar in scope and nature to the service required in this RFP. References should include a contact name,

telephone number or email address and a brief description of the work undertaken by the proponent.

### **7.2.5 SUB CONTRACTING**

Utilizing a subcontractor, or subcontractors, (who must clearly be identified) in the prime bidder's response is acceptable. This also includes a joint submission by two or more bidders having no formal corporate links. However, in this case one of these bidders must be prepared to take overall responsibility for successful interconnection of the multiple organizations and this must be defined in the Proposal. Also, one firm must act as the sole interface between the joint partners and the Department.

- a) Identify any Subcontractors, providing information on each Subcontractor.
- b) Identify which bidder is responsible for the overall project and describe how the sub-contractor(s) will interconnect with the prime bidders.
- c) Identify who will be the sole interface between the joint partners and the Department.

### **7.3 PRICING**

**NOTE: All pricing information should be submitted in a separate sealed envelope.**

A maximum fixed price cost (**excluding taxes**) should be based on the information provided in this RFP and should include all work necessary to complete the project in a timely manner;

Detailed costs should include, as applicable:

- Per diem rates;
- Travel expenses;
- Telephone;
- Translation;
- All costs related to data collection;
- All expenses related to the analysis of data; and
- All costs related to the preparation of all deliverables.

**Bids must not exceed:  
\$57,000.00 (not including HST).**



#### **7.4 APPENDICES / ATTACHMENTS**

All materials submitted as appendices / attachments to the proposal should be clearly indicated in the Table of Contents. Material not so documented by the Vendor will be considered as extraneous information. This list of attachments should also contain a brief description of the attached material, including what information can be gained by the evaluation team from its examination of the material.

## 8.0 EVALUATION PROCEDURE

A Committee made up of representatives from the New Brunswick College of Craft and Design, the Department of Post-Secondary Education, Training and Labour and the Strategic Procurement Branch, Department of Government Services will evaluate all proposals. The accepted proposals will be used as the basis for selecting the successful proponent(s).

The process will include reviewing and checking of the information contained in the proposals and interviewing references familiar with the work of the Vendor.

### 8.1 EVALUATION CRITERIA

The evaluation of proposals will be conducted using a two stage process.

- Stage One- Technical Evaluation
- Stage Two – Pricing Evaluation

Proposals must meet the minimum score of **70** points in Stage One to be considered for evaluation on **Stage Two. In Stage Two, all Stage One scores are brought to zero and the successful proponent(s) is determined based on price.**

**In Stage One, proposals will be evaluated based on the following criteria:**

<b>Section A - Company Background</b>	<b>10</b>
Proponent has described the business in which they are engaged including number of years in business, company location – address, head office, branch offices, etc., number of full time staff.	10
<b>Section B - Understanding the Required Work and Prior Experience</b>	<b>60</b>
The Proponent demonstrates an understanding of the work required and provides a thorough discussion of the necessary/critical steps required to complete the work	25
The Proponent demonstrates prior experience with similar work by providing a brief description of similar work undertaken for <b>at least 3</b> other clients including the name of the company, the nature of the work, deliverables provided and the duration of the work etc.	20
The Proponent provides <b>three</b> references of clients for whom they have performed a similar service. Reference information provided should include the company name, a contact name and title, telephone number and a brief outline of the service provided	15
<b>Section C - Company Staff</b>	<b>30</b>
The Proponent provides the names of all individuals who will be assigned to this project and provides relevant information including resumes, credentials and particular experience that makes them suitable for this project.	30
<b>Total Score /100</b>	

- A minimum score of 70% of the point value in each Section (A, B, C) must be achieved in order to continue through Stage One.

In Stage Two, proposals will be evaluated on Price as requested in section (7.3) of the RFP.

The successful proponent will be the proponent with the lowest price in Stage Two, having met the technical requirements in Stage One.

The Province of New Brunswick reserves the right to negotiate pricing, value added and other savings opportunities with the successful proponent at time of award and throughout the duration of the contract.