

H-E-B Presents First Night Austin 2008

REQUEST FOR PROPOSALS AND COMMISSION GUIDELINES

BUILDING MURAL DESIGN AND PRODUCTION SERVICES

H-E-B Presents First Night Austin, seeks proposals from Austin artists to provide design and production services relating to the creation of a mural for the exterior of H-E-B located at 2400 S. Congress, Austin, Texas, 78704 in celebration of the store's 50th Anniversary. This is a design commission with a winner to be selected by H-E-B/FNA. All finalists will have their designs exhibited on the H-E-B Presents First Night Austin web site for public voting.

August 10, 2007

Deadline for responses: September 10, 5:00 PM EST

I. GENERAL INFORMATION

A. Mission of H-E-B Presents First Night Austin

H-E-B is Presenting sponsor of H-E-B Presents First Night Austin 2006 - 2009. As part of this innovative partnership in support of local artists and the Austin visual and performance arts community, First Night Austin will commission, on behalf of H-E-B, an artist mural for the exterior of its "SoCo" location (South Congress and Oltorf) in celebration of the store's 50th anniversary.

First Night Austin is a 501c3, non-profit organization that funds an average of 75 projects by local artists each year for the New Year's Eve celebration of the visual and performing arts. First Night takes the ancient custom of marking the passage of time and transforms it into a citywide celebration of our cultural richness and artistic diversity. It is a family-friendly, affordable, and alcohol free New Year's Eve festival that

celebrates art, ritual and festivity. For more information about First Night Austin, visit www.firstnighataustin.org.

For 100 years, H-E-B has been an innovative retailer. Known for its fresh food, quality products and convenient services, H-E-B strives to provide the best customer experience at every day low prices. Based in San Antonio, H-E-B proudly employs more than 56,000 Partners and serves millions of customers in more than 150 communities throughout Texas and Mexico. For more information about H-E-B, please visit www.heb.com.

B. Overview of Services Requested and the Submission Process

To celebrate its 50th year in operation and the creative culture of South Austin, H-E-B/FNA seek to provide design and production services for a mural for the exterior of H-E-B at 2400 S. Congress.

H-E-B and First Night Austin may select a single artist or artist group to provide all services requested. Artists interested in submitting proposals to provide such services are required to follow the recommended guidelines and instructions contained in this Request for Proposals (“RFP”).

Proposals should provide a straightforward, complete, and concise description of the artist’s capabilities to satisfy the requirements of the RFP.

Proposals must be received no later than 5:00 PM, Monday, September 10, 2007. Deliver all proposals to:

H-E-B PRESENTS FIRST NIGHT AUSTIN
211 E. 7th St. , Suite 920
Austin, Texas 78701
Attn: H-E-B BUILDING MURAL RFP

H-E-B reserves the right to reject any or all proposals submitted if such election is deemed to be in the best interest of H-E-B. H-E-B assumes no obligation, no responsibility, and no liability for costs incurred by the responding artists prior to the issuance of a contract.

The current schedule for this effort is as follows:

- August 10, 2007 – RFP Issued
- September 10, 2007 – Responses Due
- September 14, 2007 – Finalists Selected; All Artists Notified
- September 16, 2007 – Finalists’ Display Images Due

- September 22, 2007 – Five finalists’ designs exhibited at SoCo H-E-B’s 50th Anniversary Celebration
- September 23, 2007 – Finalists designs exhibited on First Night Austin web site for public voting
- October 1, 2007 – Mural production begins
- December 1, 2007 – Unveiling as part of FNA Program Release Press conference at SoCo H-E-B

II. ANTICIPATED SCOPE OF SERVICES

FNA/H-E-B seeks services from artists specializing in the design and production of large-scale murals suitable for display on a building exterior. FNA requests proposals for artists to provide services including, but not limited to, the scope of work described generally below.

A. Purpose and Project Area

To celebrate the community of South Austin, and in keeping with FNA’s mission to fund local artists and artist projects, H-E-B will display a mural on the side of it’s retail location at 2400 S. Congress, which is prominent and visible in the South Austin neighborhood also known as “SoCo”.

H-E-B/FNA seeks the services of an Artist or Artist Group to design and produce the mural. Details of mural sizes and materials under consideration, which the RFP requires respondents provide estimates for, may be found in Subsection II B, Scope of Project.

B. Scope of Project

It is anticipated that the Design and Production Services artist(s) will be required to perform one or more of the following services:

- **Graphic Design:** Submit a conceptualized design for the large-scale mural.
- **Technical Design:** Work with H-E-B/FNA staff and consultants to select appropriate durable materials for the mural and develop technical specifications.
- **Production:** Install the mural using materials that will not fade or degrade for 36 months.
- **Support:** Work with H-E-B/FNA staff and consultants to support installation of the mural.

The mural will be displayed on the east side of the building exterior. The building is currently cinder blocks covered in white paint with some protruding blocks as part of the original design. It is highly recommended that artists visit the location and pick up an Artist Packet from the Business Desk located inside of the South Congress H-E-B (2400 S. Congress).

Artists responding to this RFP must be knowledgeable on the creation of murals of the size detailed below and capable of designing and/or producing the mural.

Mural Paint & Size Options – Mural width will be: 145' 10" long x 17' 8" high.

C. Project Schedule

H-E-B/FNA expects to have the winning mural selected by October 1, 2007, installed by December 1, 2007.

III. SUBMISSION REQUIREMENTS

A. Experience

1. A history of the artist's experience providing large scale mural design and/or production services.
2. A description of the artist's organizational structure, including resumes of the principals, project manager(s), and professional staff who would work directly with H-E-B/FNA.
3. Samples of up to five (5) major projects that the artist has completed in the areas of design and/or production services. Include the client, the name of a contact person who is able to provide a reference, a description of the nature of the work, photographs, the size and complexity of the project, and the amount and the agreed fee arrangements.
4. Any other information about artist's specialty or particular skill to perform a specific requested service.

B. Methodological Approach

1. A description of how the artist intends to address the anticipated scope of services set forth in Section II of this RFP.
2. A statement explaining the artist's approach to designing and/or producing murals, including methods, techniques, etc. that would be employed.

C. Fee

Graphic Design/Technical Design/Support:

Total estimated fee for completion of the project.

Production:

Estimated cost with itemized budget including all supplies and materials.

D. Schedule

1. Estimated design and production schedules, broken down by design and production, as described in Section IIB, Scope of Project.

E. Contact Information

On a single cover sheet in your proposal, please provide:

1. Artist or Artist Group Name;
2. Contact person;
4. Telephone and wireless numbers for contact
5. E-mail address
6. Street address
9. The type of work or specialty of artist; and
10. The signature of the lead individual, and the date of the signature.

IV. CRITERIA FOR SELECTION

H-E-B/FNA places high value on the following factors, not necessarily in order of importance:

- Approaches in with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to H-E-B/FNA.
- Experience of artist and employees to be assigned to the project.
- Quality of work product as demonstrated in submitted work samples.
- Demonstrated knowledge of mural design and production.

- Experience of the artist with comparable projects.
- Innovative or outstanding work by the artist that demonstrates the artist's unique qualifications to provide design and production services.
- Number, complexity, and nature of mural design and production services handled by the artist.
- Projected cost of services.
- Projected schedule for mural design and production.

V. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful artists, with any amendments approved by H-E-B/FNA, will become a part of the contract awarded as a result of this RFP Process.

The selected artists will be required to:

- Submit original work and sign a release allowing FNA to post the work on its web site if selected as a top five finalist. Top five finalists will be notified in September and asked to sign a release to publish photographs of the work on the web site and in an in-store exhibit.
- Work with H-E-B/FNA staff and its consultants to provide design and production services to H-E-B/FNA on matters that may arise in connection with the planning, development, and production of the mural artwork.
- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on H-E-B/FNA request, to make such records available to H-E-B/FNA at all reasonable times during the contract period and for six (6) years after the date of the final payment to the artists under the contract.
- Assume sole responsibility for the complete effort as required by this RFP, and be the sole point of contact with regard to contractual matters.
- Refrain from assigning, transferring, conveying, subletting or otherwise disposing of the contract or its rights, titles or interest therein or its power to

execute such agreement to any other person, artist, partnership, company, or corporation without the prior consent and approval in writing of H-E-B.

- Comply with applicable law governing projects initiated or supported by H-E-B. H-E-B/FNA may hire more than one artist that responds to this RFP. H-E-B/FNA reserves the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given to the artist at least thirty (30) days prior to such proposed termination date.

VI. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFP, the submission of a response by any artist, and the acceptance of such response by H-E-B/FNA do not obligate H-E-B/FNA in any manner. Legal obligations will only arise on the execution of a formal contract by H-E-B and the artist(s) selected by H-E-B. H-E-B's formal contract may include schedules in the form of the accompanying Schedules A, B, and C. H-E-B provides these forms for informational purposes only and may amend them from time to time. Responses to this RFP will be prepared at the sole cost and expense of the proposing artists. No materials submitted in response to this RFP will be returned.

B. H-E-B/FNAReservation of Rights

H-E-B may:

1. amend, modify, or withdraw this RFP,
2. revise requirements of this RFP,
3. require supplemental statements or information from any artist,
4. accept or reject any or all responses hereto,
5. extend the deadline for submission of responses thereto,
6. negotiate or hold discussions with any respondent and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and
7. cancel this RFP, in whole or in part, if H-E-B deems it in its best interest to do so. H-E-B may exercise the foregoing rights at any time without notice and without liability to any proposing artist or any other party for their expenses incurred in the preparation of the responses hereto or otherwise.