



**QUESTIONS AND ANSWERS
PURCHASING OFFICE
CITY OF AUSTIN, TEXAS**

Solicitation: RFI 5500 SMW6000

Date: September 8, 2020 - Q&A #1

The following are questions with responses, which have been received regarding this project:

1. Q: What the timeline for a creative space is, as in, what year is the City of Austin looking to occupy a facility?

A: While the current anticipated procurement process is projected to take a minimum of 13 months, it is possible that the potential occupation of a creative space facility may be earlier than 2022, depending on market conditions and real estate opportunities.

2. Q: How detailed would you like the RFI to be?

- Would you want a specific site?
- Would you want renderings of the potential space?
- Are you looking for one org to use all of the funds or multiple orgs to spread it out?
- What can the funds be used for specifically? Is it for land acquisition as well as construction?
- Can the funds also be used to provide minimal housing for artists in residence?
- Does the city want the funds to also be allocated to spaces open to the public?

A: Please provide as much detail as you see helpful to respond to the questions. More detail will be helpful but please know that responses are subject to any Open Records request. If there is a specific site that you would like for the City process to consider, adding that information would be helpful. Renderings are not needed or necessary at this particular point. The \$12 million in bond funds can only be used for costs related to acquisition, construction and permanent fixtures. The funds can be expended on one or multiple properties. However, the City at this time does not have additional funding. Once expended, the funds will need to result in at least one creative space for public use. The funds can only be used for projects specifically stated in the Bond Ordinance. Affordable housing would not be an eligible expense for this source of bond funding. However, voters approved a separate proposition for affordable housing.

3. Q: In regards to the LEED requirement, can this be revisited to include Austin Energy's Green Building rating?

A: In past development agreements, the City required projects using public funds to achieve energy efficiency ratings from either the City of Austin Energy Green Building program or LEED. During final negotiations of a development agreement with the selected preferred site or sites, the City will consider plans incorporating Austin Energy's Green Building Rating, in lieu of LEED requirements.

Date: September 17, 2020 Q&A #2

The following are questions with responses, which have been received regarding this project:

1. Q: I really want to pitch the purchase or partial purchase of a property as a green, cultural space for generations to come and would like to make sure I am using my words well to express this.
A: Thank you for using the RFI process to provide us your concept. Please provide this information through the form provided in Austin Finance Online found here: https://www.austintexas.gov/financeonline/account_services/solicitation/solicitation_details.cfm?sid=134742.
The questions provide you an opportunity of outlining your concept that you wish to share. If EDD staff has any questions to meaning, they may reach out to you for further explanation. We look forward to receiving your questions and assisting you in your response.
2. Q: City Attorney to verify that existing city owned park space & buildings would be eligible for the Bond allocations.
A: Correct. They would be eligible.
3. Q: How Joint Arts & Music Commissions plan to apply a lens of EDI to the Bond disbursement.
A: The procurement process follows the recommendations from the Joint Arts and Music Working Group, as endorsed by their respective Commissions, to hold equity as a core component of the selection process of the qualified facility operator, geographic access / location of potential facilities, and how the facility or facilities reach out to and honor programming related to under-served and marginalized communities. Please refer to the September 11, 2020 presentation on the [Creative Space Bond Update](#).
4. Q: What is the timeline on Requests for Proposals, Applications, and selection.
A: Please refer to the September 11, 2020 presentation on the [Creative Space Bond Update](#).
5. Q: What type of governing body will be making those selections in administering funds.
A The City Council will be the approving body for the selection of the Facility Operator(s) and related properties that are the most competitive responses to the Request for Proposals for the Facility Operators. Please refer to the September 11, 2020 presentation on the [Creative Space Bond Update](#) regarding the selection process sequence.
6. Q: Are there any similar projects in the past that have been taken from infancy to fruition to serve as an example of success?
A: Please refer to the June 2019 presentations to the Arts and Music Commission regarding lessons learned from past City bond projects. These presentations are available on the Speak Up Austin site located in the [Document Library](#).
7. Q: We'd also like to understand the no-profit portion as outlined in Slide 11... does this mean that the Operator would not be able to take in operational funding?
A: To be considered as an Operator, the prospective operator will need to participate in the RFQ process. Only the top selected qualified operators through that process will be invited to submit proposals which will include a business plan that clearly specifies revenue and cost assumptions. Given the public nature of the facility and the specific nature of the bond funds, those assumptions will be

reviewed by bond counsel to ensure they comport within legal parameters. It is anticipated that the structure of the lease would cover cost of operations rather than market rate of return.

8. Q: We also have quite a few questions about the RFQ process, and what it means to be a qualified Operator. We'd love to get a more clear picture of how this all works, and what we would need to prove to be successful in the RFQ process.

A: Please refer to the presentation given at the Joint Arts and Music Commission given September 11, 2020 with the link on the Speak Up Austin website as above. We recommend that you register as a vendor on the [City of Austin's Vendor Connection](#) site to be notified of the issuance of a future RFQ. The future RFQ will provide detailed directions on the criteria for a qualified operator. The RFI asks questions that will help inform the qualifications requested for the future RFQ. We ask that you provide input to the RFI to better inform our process going forward.

9. Q: Do you think that the City is most interested in full purchase or are partial ownerships of property/venue? Should I present 2 versions?

A: The bonds shall be used for the purchase and/or long term lease of interests in real property. Please refer to the June 2019 presentations to both the Arts and Music Commission available on the Speak Up Austin site located in the [Document Library](#).

10. Q: Should I outline the estimated costs or wait for another level of inquiry?

A: Feel free to provide whatever information you believe would help inform a future Request for Qualifications for a facility operator and/or a future Request for Proposals for potential space that the City could pursue for this effort. Please be advised that any information is subject to open records requests. Additionally, this is not part of the formal solicitation process so information garnered here will not be used as a responsive submission to any future solicitation.

11. Q: Should I present my full vision of the suggested cultural space in this RFI?

A: Feel free to provide whatever information you believe would help inform a future Request for Qualifications for a facility operator and/or a future Request for Proposals for potential space that the City could pursue for this effort. Please be advised that any information is subject to open records requests. Additionally, this is not part of the formal solicitation process so information garnered here will not be used as a responsive submission to any future solicitation.

12. Q: Do we need to submit something at the 9/21 RFI deadline in order to be invited to submit at the later RFQ stage? Or is the RFI an optional step?

A: This RFI is a separate process for the City to use to better inform a later solicitation. There is no requirement to respond to this RFI in order to participate in any later solicitation.

13. Q: So would they want a response from just one representative from each organization?

A: The City welcomes responses from any organization or persons who have industry knowledge on any of the questions posed in the RFI. A respondent can represent an organization or themselves. Responding to the RFI is optional and serves to inform a future formal solicitation for a facility operator or property.

14. Q: Who will be reviewing the RFI's and how will the submitted information be distilled?

A: Multi-disciplinary panel of experts and City staff will be reviewing the RFI and using the information from the RFI to inform the future solicitation of qualified operators and potential space. The City will not post responses to the RFI in accordance with the City's standard business practice. However, they are subject to an open records request.

15. Q: I'm aware of an opportunity for a specific space and I want to inform Economic Development about that space opportunity and details surrounding it, given that we are already in the middle of a public procurement process for space operators, is there an appropriate way for me to communicate space opportunities?

A: Recommendations for specific spaces may be submitted in response to the RFI. Please be advised that responses to the RFI are subject to the Texas Public Information Act. The City will also work with an external broker to accommodate referrals and will post that process to the Speak Up Austin website as well as in the City of Austin Economic Development Department newsletters when ready.