

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING THE)	RESOLUTION NO. 05-3625
RELEASE OF A REQUEST FOR PROPOSALS)	
AND AWARD OF A CONTRACT FOR)	Introduced by Chief Operating Officer
CONCERT PROMOTION AT THE OREGON)	Michael J. Jordan, with the concurrence of
ZOO)	Council President David Bragdon

WHEREAS, Metro operates the Oregon Zoo; and,

WHEREAS, the Oregon Zoo operates a concert series in the summer months; and,

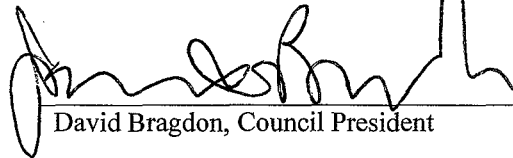
WHEREAS, the current contract for concert promotion expires on October 31, 2005; and,

WHEREAS, the Oregon Zoo wishes to release a Request for Proposals to select and enter into a contract with a concert promoter for five (5) years with an annual opt-out clause; and,

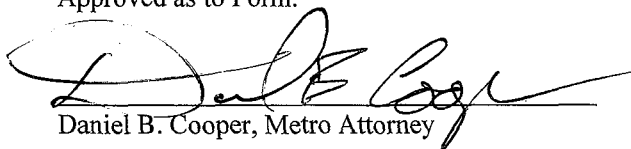
WHEREAS, Metro Code 2.04.026 states any contract for personal services for a term greater than twelve (12) months and greater than \$50,000 requires Council authorization; and,

BE IT RESOLVED that the Metro Contract Review Board authorizes the Chief Operating Officer to release a Request for Proposals substantially similar to that attached as Exhibit A and execute a contract with the most responsive proposer.

ADOPTED by the Metro Council this 20th day of October, 2005.


David Bragdon, Council President

Approved as to Form:


Daniel B. Cooper, Metro Attorney



Resolution No. 05-3625
Exhibit A
REQUEST FOR PROPOSALS
CONCERT PROMOTER
RFP 06-1158-ZOO

I. INTRODUCTION

Oregon Zoo, a service of Metro, is requesting proposals for an independent Concert Promoter for a five-year contract, subject to annual review. Proposals must be submitted no later than 3:00 PM «DATE», 2005. Please send proposals in a sealed envelope to the attention of Cinna' Mon Williams, Purchasing/Contract, Metro, 600 NE Grand Avenue, Portland, Oregon 97232-2736 (postmarks and facsimiles are not acceptable). Details concerning this project and proposal are contained in this document.

II. BACKGROUND OF PROJECT

2006 will be the 28th season of summer concerts at the zoo. There will be 18-26 total concerts each season, in a combination of Wednesday "Plus" concerts and hard ticket "Premium" concerts. Concert times are from 7:00 to 10:00 PM. Concerts have featured mostly nationally-recognized artists that can draw significant crowds (2,700-5,000 people). Concerts are held at the zoo's amphitheatre, with general admission seating on the lawn. Maximum capacity of the venue is 5,000.

The concerts are provided through the zoo's Events Team. The contracted Promoter will work under the direction of the zoo's Event Coordinator.

III. PROPOSED SCOPE OF WORK

See Attachment A.

IV. QUALIFICATIONS/EXPERIENCE

A successful proposal must demonstrate that the applicant possesses the following qualifications and experience:

- A. Experience/expertise in booking national/international touring acts, with examples of successful, revenue-generating concerts.
- B. Experience/expertise with stage management.
- C. Experience/expertise in business management.
- D. Experience/expertise in sound systems and sound level monitoring.
- E. Experience/expertise with outdoor concert lighting
- F. Experience/expertise with concert publicity.
- G. Experience/expertise with concert security.
- H. Experience/expertise with problem solving, especially in a non-profit situation.

- I. Experience/expertise in working with a government agency.
- J. Demonstrated understanding of corporate sponsor relationships.
- K. Demonstrated understanding of volunteer dynamics.

V. PROPOSAL INSTRUCTIONS

A. Submission of Proposals

A copy of the proposal shall be furnished to the project manager:

METRO
Cinna' Mon Williams, Purchasing/Contracts
600 NE Grand Avenue
Portland, Oregon 97232-2736

B. Deadline

Proposals will not be considered if received after 3 PM, «DATE», 2005. Postmarks and facsimiles are not acceptable.

C. Minority and Women-Owned Business Program

In the event that any subcontracts are to be utilized in the performance of this agreement, the proposing coordinator's attention is directed to Metro Code provisions 2.04.100.

Copies of this document are available from Purchasing and Contracts Division of Finance and Administrative Services, Metro, Metro Regional Center, 600 NE Grand Avenue, Portland, Oregon 97232-2736 or call (503) 797-1816.

D. Proposal Contents

The proposals should contain information describing the ability of the Promoter to perform the work requested, as outlined below. The proposal should be submitted electronically, or on recyclable, double-sided recycled paper (post-consumer content). No waxed page dividers or non-recyclable materials should be included in the proposal.

1. How Proposer would perform the services requested.
2. Promoter's resume and resumes of other key personnel.
3. Information on firms with which you will be subcontracting, including resumes/qualifications of their key personnel.
4. Approximate number of hours each key person will be involved with the activities described in the attached scope of work.
5. History of work completed for similar clients.
6. Three or more references from clients.

7. Promoter's proposed annual compensation plan, to include:
 - a. Promoter's proposed fee structure for services performed (Please see Attachment B "Promoter's Fee" document.)
 - b. List of any expenses to be reimbursed to Promoter by the Oregon Zoo (e.g. lighting, sound, event insurance, or other technical services), based on actual invoiced charges. Provide an annual estimate of such expenses.
8. Itemized list of expenses for each concert season to be paid directly by the Oregon Zoo (e.g., artists booking fees, transportation, or hospitality).

VI. GENERAL PROPOSAL/CONTRACT CONDITIONS

- A.** This RFP does not commit Metro to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to accept or reject any or all proposals received in response to this request, to negotiate with qualified applicants, or to cancel all or part of this RFP.
- B.** An applicant filing a proposal thereby certifies that no officer, agent, or employee of Metro has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of Metro; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Applicant for the same call for proposals; the applicant is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm.
- C.** Metro intends to award a Personal Services Contract with the selected person/firm for this project. A copy of the standard form contract, which the successful consultant will be required to execute, is attached (see Attachment C).
- D.** Contractor shall purchase and maintain at the contractor's expense the following types of insurance covering the contractor, its employees and agents.
 1. Broad form comprehensive general liability insurance covering personal injury, property damage, and personal injury with automatic coverage for premises and operations and product liability. The policy must be endorsed with contractual liability coverage.
 2. Automobile bodily injury and property damage liability insurance. Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000. Insurance coverage shall include Commercial General Liability insurance covering each concert event for bodily injury and property damage, with automatic coverage for premises, operations, and product liability with a minimum of \$1,000,000 per occurrence naming Metro as an Additional Insured. Coverage and the insurer must be approved by Metro. The policy must be endorsed with contractual liability coverage.

Metro, its elected officials, departments, employees, and agents shall be named as an additional insured. Notice of any material change or policy cancellation shall be provided to Metro thirty (30) days prior to the change.

Contractor shall comply with ORS 656.017 for all employees who work in the State of Oregon for more than 10 days. The contractor shall provide Metro with certification of workers' compensation insurance including employer's liability.

- E. Prospective coordinators are informed that the billing procedures of the selected firm are subject to the review and prior approval of Metro before reimbursement of services can occur. Billing, accompanied by itemized expenses and a progress report, will be prepared for review and approval.
- F. The proposal shall be considered valid for a period of at least ninety (90) days and shall contain a statement to that effect. The proposal shall contain the name, title, address and telephone number of an individual or individuals with authority to bind any company contacted during the period in which Metro is evaluating the proposal.

VII. EVALUATION OF PROPOSALS

- A. Proposals that conform to the proposal instructions will be evaluated. A selection committee will review proposals. Oral interviews with finalists may be conducted in the selection process.

B. Evaluation Criteria

This section provides a description of the criteria that will be used to evaluate proposals submitted to accomplish the work defined in the RFP.

Experience/expertise in booking, demonstrating proven relationships with agents and artists	25 %
Experience/expertise with stage management/production.....	25 %
Experience/expertise with concert publicity, with examples.....	15 %
Fee	25 %
References	5 %
Experience/expertise in working with a government agency	5 %

**Resolution No. 05-3625
STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 05-3625, FOR THE PURPOSE OF APPROVING THE RELEASE OF A REQUEST FOR PROPOSALS AND AWARD OF A CONTRACT FOR CONCERT PROMOTION AT THE OREGON ZOO

Date: September 27, 2005

Prepared by: Cinna'Mon Williams

BACKGROUND

The 2006 concert series will be the 28th season of summer concerts at the Zoo. There are up to 26 total concerts each season, with a combination of Wednesday "Plus" concerts and hard ticket "Premium" concerts. Concert times are from 7:00 to 10:00 PM. Concerts have featured mainly nationally-recognized artists that can draw significant crowds. Expected attendance at each concert is between 2,700-5,000 people. Concerts are held at the Zoo's amphitheatre, with general admission seating on the lawn.

The concerts are provided through the Zoo's Events Team. The contracted Promoter will work under the direction of the Zoo's Event Coordinator.

The summer concert series is a major revenue source for the Oregon Zoo. The gross revenue for the 2005 summer concert series was \$494,744.

ANALYSIS/INFORMATION

- 1. Known Opposition:** There is no known opposition.
- 2. Legal Antecedents:** Metro Code 2.04.026 states any contract for personal services for a term greater than twelve (12) months and greater than \$50,000 must be authorized by the Metro Council.
- 3. Anticipated Effects:** The release of a request for proposals will result in a multi-year contract.
- 4. Budget Impacts:** The Oregon Zoo has budgeted for this item.

RECOMMENDED ACTION

Authorizes the Chief Operating Officer to release a Request for Proposals substantially similar to that attached as Exhibit A and execute a contract with the most responsive Proposer.

Resolution No. 05-3625
Attachment 1
Oregon Zoo
Concert Promoter

I. SCOPE OF WORK

A. Contractor shall provide the following goods and services:

1. Develop program and musical presentation goals in keeping with the with the zoo's 27 year history of presenting premier outdoor concerts. Program shall be developed in coordination with the zoo and shall be subject to approval by the zoo's Event Coordinator. Program shall be finalized by April 15 of each year. (See Attachment B – Concert Program Budget History.) All goods and services to be paid by the zoo must be approved in advance and in writing by the zoo's Event Coordinator.
2. Book all artists and provide performers, sound, lighting, stage equipment and technicians necessary to present a maximum total of 26 Oregon Zoo summer concerts. This includes a combination of Wednesday night "free" concerts and hard-ticket "premium" concerts. The ratio of Wednesday to Premium concerts may change from year to year.
3. Enter into contracts necessary to produce all components of concerts on behalf of the zoo, and provide copies of these contracts to the zoo with invoices.
4. Pay all artist, technical and production costs and fulfill contract obligations with funds included in this contract.
5. Act as liaison between artists & the zoo.
6. Consult with zoo staff on hiring of ticketing agency. Work with zoo and ticketing agency as needed to ensure proper selling of tickets.
7. Submit to the Event Coordinator monthly reports on concert expenses; including receipts, invoices, contracts, and records of payment for all expenses (artist and technical fees, labor, rental, sound systems, lighting and equipment fees and production costs). Final reports and invoices are due within 30 days after the final concert.
8. Assist Oregon Zoo with the development of long range planning for concerts.
9. Make recommendations to the Event Coordinator each September on concert production budget for the following summer concert season.

B. In the following areas of interaction, concert Promoter will work directly with zoo staff pursuant to the direction of the Event Coordinator.

II. ARTISTS/PROGRAMMING

- A.** Maintain a current roster of agencies representing artists to retain the highest level of performance possible within the budget available.
- B.** Book and enter into contracts with all artist/presenters for concerts as requested by the Event Coordinator.

III. TECHNICAL

A. Sound/Lights

Employ state of the art sound and light companies to fulfill artists' contract riders while adhering to needs of the zoo such as budget, noise variance and coordination with other events.

B. Equipment

Rent pianos and band back-line gear as required by artists' riders.

C. Labor

Contract all labor required for successful concert presentation. Labor may include stage management and stage hands, piano tuner, concert runners, sound and lighting technician (outside scope of contracted sound/light company), merchandising, ticketing, and security personnel (as necessary to fulfill artists' riders) if not provided by the zoo.

IV. MARKETING

- A.** Develop marketing plan within the zoo's budget for advertising and promotions, to be approved by Event Coordinator. Work with Event Coordinator to implement the marketing plan.
- B.** Work with zoo staff and/or other contractees to develop graphic images for all concerts and special events under the scope of this contract as requested. Provide promotional materials and support to ad designers as requested in a timely manner.
- C.** Work with the zoo photographer to obtain photos of concerts for publicity purposes and documentation for sponsors.
- D.** Assist Media Relations Officer with preparing press releases and public service announcements; consult with Media Relations Officer to develop a media relations workplan.
- E.** Promote concerts for art, entertainment and cultural coverage through direct media contact.

- F. Attend and participate in planning and debriefing meetings with zoo staff as requested.

V. DEVELOPMENT/ADMINISTRATION

- A. Work with the Oregon Zoo Foundation Corporate Relations Manager as well as the monetary and media sponsors to solicit motel/hotel accommodations on a complimentary/sponsorship basis when housing accommodations are required in artists' contract riders.
- B. When appropriate, solicit piano/musical gear donations in exchange for tickets, as approved by the Event Coordinator.
- C. As requested, consult with zoo security personnel and volunteers in areas of crowd control, parking lot and shuttle services to alleviate traffic congestion during concerts.
- D. As requested, consult with security and animal management to ensure animal safety before, during and after concerts.
- E. Consult with Event Coordinator on concert admission and complimentary pass policies and ticketing arrangements.

VI. GUEST SERVICES

Work directly with guest services catering staff on artist and crew hospitality and backstage catering requirements within available budget as set by Event Coordinator.

VII. FACILITIES SERVICES

- A. Through the event coordinator, work with the zoo electrician to meet sound, light and technical power needs, such as shore power for artists' vehicles.
- B. Arrange for scheduling of zoo vehicles necessary for artists' and performers' transportation needs.
- C. Arrange scheduling of zoo forklifts per schedule provided by sound & lights contractors.
- D. Support facilities services staff to ensure public use of, and participation in, recycling efforts at concerts.

VIII. EDUCATION

Work directly with Event Coordinator and other personnel to insure smooth transition of bandshell programming such as Birds of Prey shows, children's summer camp classes and other educational activities.

IX. INSURANCE

In addition to coverage required under Section VI.D., Promoter shall maintain Commercial General Liability insurance covering each concert event for bodily injury and property damage, with automatic coverage for premises, operations, and product liability with a minimum of \$1,000,000 per occurrence naming Metro as an Additional Insured. Coverage and the insurer must be approved by Metro. The policy must be endorsed with contractual liability coverage.

V. ANNUAL NOTIFICATION

By October 31 of each year, Zoo will notify Promoter whether (a) Promoter may begin developing the concert program for the following season or (b) the zoo elects to terminate the agreement pursuant to Section 13.

Resolution No. 05-3625

Attachment 2

Oregon Zoo
Concert Promoter

Staff Report

The Oregon Zoo seeks to enter into a mutually-beneficial partnership with the selected Concert Promoter.

Recognizing standard industry practices of percentage-based fees, we welcome your proposal for an incentive-based model. In the past, Oregon Zoo has paid our Concert Promoter a flat fee. Our goal is to move to a shared risk and shared profit model, creating an even greater incentive to produce successful shows.

HISTORY OF PROMOTER FEES

YEAR	WEEKDAY "PLUS" FEE	PREMIUM FEE	TOTAL FEES PAID
2003	34,608	38,192	\$74,803
2004	34,608	38,192	\$74,804
2005	35,646	40,549	\$78,200

HISTORY OF TOTAL PROMOTER CONTRACT BUDGET (INCLUDING ABOVE FEES)

YEAR	WEEKDAY "PLUS" BUDGET	PREMIUM BUDGET	TOTAL CONTRACT BUDGET
2003	125,473	331,982	\$459,458
2004	125,473	331,982	\$459,459
2005	128,983	441,285	\$572,273

HISTORY OF CONCERT ATTENDANCE & TICKET SALES REVENUE

YEAR	TYPE OF SHOW	No. OF SHOWS	ATTENDEES*	GROSS TICKET SALES REVENUE
2003	Weekday "Plus"	14	34,537	\$117,101
2003	Premium	12	25,836	\$377,643
2004	Weekday "Plus"	12	31,809	\$91,036
2004	Premium	9	31,435	\$684,617
2005	Weekday "Plus"	9	25,890	\$64,521
2005	Premium	10	35,793	\$808,483

* Maximum capacity for Weekday "Plus" Concerts is 5,000. Maximum capacity for Premium Concerts is approximately 3,750.