

**NEW ORLEANS CITY COUNCIL
REQUEST FOR QUALIFICATIONS STATEMENTS (“RFQ”)
PUBLIC, EDUCATIONAL AND GOVERNMENT (“PEG”) ACCESS MANAGEMENT
ISSUED MAY 16, 2016**

Pursuant to the provisions of the Council of the City of New Orleans (“Council”) Ordinance No. 26,304 M.C.S. dated February 26, 2015, which amended the Cox Communications Louisiana, L.L.C. (“Cox”) cable franchise, the Council is issuing this RFQ to enter into a contract for a Community Access Group to act as the exclusive manager (“Manager”) of PEG Access Channels on the Cox Cable System. As it pertains to the Government component of PEG Access, this includes the live streaming and archiving for later access of meetings of the City Council, Council Committees, City of New Orleans Boards and Commissions, and other civic meetings and events as necessary..

Purpose and Funding:

The Council is the governing authority of New Orleans. Among the responsibilities of its Utility, Cable, Telecommunications and Technology (UCTT) Committee is oversight of the granting, amending, renewing or terminating of cable franchises and accordingly, oversight of the management of PEG Access Television.

The Council seeks to assure vibrant, varied, relevant, engaging, professionally-presented, and thriving PEG Access Television programming, produced and broadcasted in accordance with FCC regulations. In addition, the Council requires reliable video coverage—including web streaming and archiving using Granicus technology—of all City Council and Council Committee meetings. This RFQ is issued in furtherance of the Council’s exercise of oversight as well as its interest in spurring programming and assuring reliable and accessible coverage of meetings. Although the Manager is expected to enter into and manage agreements for the operation and programming of Access Television channels, the Council retains an oversight function with regard to this, and may provide general direction as necessary to ensure fulfillment of the purposes of PEG Access programming.

The Manager must receive prior approval from the Council, or its designee, before establishing any policies affecting PEG Access Television.

The Manager will be solely responsible for the monitoring and payment of all royalties owed to any person whose audio or visual materials are used in connection with any productions, and will be required to indemnify and hold harmless the City with respect to any claims for unlawful use of any audio or visual materials belonging to third persons and with respect to any copyright infringement claims or proceedings.

The Manager will be expected to perform the proposed services with a level of care, skill and diligence in accordance with the applicable standards currently recognized in the television broadcast industry, and shall be responsible for the professional quality, technical accuracy, completeness, and coordination of all services furnished, in compliance with all applicable federal, state and local laws, ordinances, codes and regulations.

Funding: In accordance with Sections 7.1 and 7.3 of Ordinance No. 26,304 M.C.S., the PEG Access channels will be funded by a PEG grant paid to the “City of New Orleans as represented by the City Council acting within the scope of its jurisdiction,” in the following amounts: In 2015, One Hundred Fifty Thousand Dollars (\$150,000.00) per quarter; in 2016, One Hundred Twenty Five Thousand Dollars (\$125,000.00) per quarter; and in 2017 and all subsequent years until the 2031 expiration of the franchise, One Hundred Twenty Five Thousand Dollars (\$125,000.00) per quarter. These funds will be used exclusively for funding the PEG Access Channels and shall be expended consistent with

applicable law.

Beginning on January 1, 2017, and continuing for the remainder of the term of the franchise, the Council or its designated Community Access Group shall make an annual supplemental PEG support contribution equal to or greater than Fifty Thousand Dollars (\$50,000.00), in addition to the PEG Grant payments made by Cox. Although this provision may be waived by written agreement between the Council and Cox, and although the Council's payment of the PEG support contribution is shown as an alternative, it is expected by the Council that the selected Manager will generate the funds necessary to make this contribution.

The Council owns equipment associated with Access Television which is presently located at a leased studio on Jefferson Davis Parkway and at City Hall ("PEG Studio").

Qualifications Statement Contents:

All responses should include:

- I. A completed "consulting services questionnaire" using the format that is attached. Any subcontractors proposed to be used must also submit a completed questionnaire that must be attached to the prime firm's questionnaire.
- II. Resumes of partners, principals, executives and employees of the respondent who will be responsible for, and actively involved in, the provision of PEG Access Television management services and meetings video/web coverage ("Key Personnel").
- III. Description of relevant experience and expertise of each of the Key Personnel listed in paragraph II hereinabove including but not limited to:
 - A. Management and growth of organizational budgets.
 - B. Development, production, and management of television and other media platform programming.
 - C. Use of social media and other platforms to expand and serve the purpose of PEG Access Programming.
 - D. Reporting to, and working with, governmental entities and/or volunteer boards or committees.
 - E. Compliance with all applicable federal, state and local laws, ordinances, codes and regulations.
 - F. Television or media work.
 - G. Marketing, public relations, promotional or informational activities.
- IV. Descriptions of three or more assignments which best illustrate the respondent's current qualifications relevant to the areas requested in this RFQ, including samples of work product.
- V. A showing of sufficient depth to provide coverage for all duties, including live streaming and archiving for later access of meetings of the City Council, Council Committees, City of New Orleans Boards and Commissions, and other civic meetings and events as necessary, when Key Personnel are unavailable because of other assignments, illness, vacation, or similar conflicting demands.

- VI. A sworn affidavit listing all persons with an ownership interest in the respondent. An “ownership interest” shall not be deemed to include ownership of stock in a publicly traded corporation or ownership of an interest in a mutual fund or trust that holds an interest in a publicly traded corporation. This affidavit is a public record.
- VII. A sworn affidavit that no other person holds an ownership interest in the respondent via a counter letter.
- VIII. A list of all persons, natural or artificial, who are retained by the respondent at the time of the application and/or who are expected to perform work as sub-contractors in connection with respondent’s work, and a sworn affidavit listing all persons with an ownership interest in any proposed sub-contractor to be used.
- IX. A list of all persons, natural or artificial, who are retained by the respondent at the time of the application and/or who are expected to perform work as sub-contractors in connection with respondent’s work.
- X. Proposal for expansion and promotion of PEG programming, providing suggestions for production of quality public access programs and for infusing competition for creative programming, and managing and coordinating the productions, their broadcast/playback on an ongoing basis, and their promotion, all in accordance with general guidance provided by the Council or its designee. Demonstrate how opportunities will be provided for independent producers to provide high-quality, original programs. Describe how royalties will be paid and audio and visual rights safeguarded.
- XI. Proposal for managing the organizational budget and accounts, and to increase organizational revenue to, at a minimum, service the \$50,000.00 annual PEG support contribution commencing in 2017. Include consideration of how sponsorships or grants could be used in lieu of this contribution. Include consideration of the potential for establishment of for-profit programming and activities to generate revenue which could be used to provide further support for PEG programming.
- XII. Proposal for providing all technical services as necessary for Governmental Access Programming, including, as previously noted, live streaming and archiving for later access of all meetings of the City Council, Council Committees, City of New Orleans Boards and Commissions, and other civic meetings and events as necessary, causing meeting recordings to be timely posted for playback using the Council’s Granicus system or any successor system, suggesting and then overseeing Government Access-related physical and technical improvements as well as implementation of equipment purchases when these improvements are authorized by the Council, together with ongoing management of this work and its coordination with Council personnel.
- XIII. Proposal for the coordination and use of the education channel.
- XIV. Proposal for cataloguing and assumption of control of all City-owned PEG-related production equipment, describing how it will be used in the production of programs. Include consideration of the viability of the leasing of equipment to responsible third parties. Note: an inventory of assets is available upon request. Please direct your request in writing to the Director of the City Council Utilities Regulatory Office, Room 6E07, City Hall, 1300 Perdido Street, New Orleans, LA 70112 or wtstrattonjr@nola.gov.
- XV. Proposal for physical location of Manager’s studio and offices during the contract term, and for the management of the location if other than the PEG Studio.

- XVI. Proposal for meeting the Manager's financial management and accounting obligations.
- XVII. Proposal for meeting the Manager's quarterly reporting obligation to the Council or its designee
- XVIII. Proposal for overseeing, monitoring and enforcing the contracts..
- XIX. Proposal for handling complaints and concerns regarding Access Television.
- XX. Proposal for establishing and enforcing community standards for Access Television programming.
- XXI. To the extent not covered in response to other proposal requests in this section, a proposal for all technical/engineering services, administrative support, career track training, rentals, supervision of contractors, user support and training, and community outreach that will be provided to assure the smooth functioning of PEG Access Television.
- XXII. Proposal for hours of broadcasting.
- XXIII. Any other proposals that would represent effective, creative, and innovative use of the Access Channels, including, but not limited to, the integration of other media platforms, expansion of related services, new revenue generation and efficient management models.
- XXIV. A sworn affidavit stating that the affiant is in compliance with Section 2-8(c) of the City Code and that no principal, member and /or officer of the contracting entity has within the preceding five (5) years been convicted of or plead guilty to, a felony under state or federal statutes for embezzlement, theft of public fund, bribery, and/or falsification or destruction of public records.
- XXV. A comprehensive narrative detailing the respondent's plan to comply with the provisions of Section 70-432.1 of the Code of the City of New Orleans pertaining to local and disadvantaged business enterprises (DBE) goals for the City of New Orleans.

Performance of Related Work

Respondents to this RFQ shall disclose the following:

- I. Community Access Television or similar broadcast or media related work performed or managed within the past five years.
- II. Other television, media, broadcast, social media production or programming work performed or managed within the past five years.
- III. Any work currently performed (whether compensated or not) on behalf of any New Orleans City or Council office, elected official or employee.
- IV. Any work currently performed (whether compensated or not) that could adversely affect the ability to perform the proposed PEG Access Television work.

For any such work, the respondent shall indicate the scope of the engagement, the time frame, and why the respondent deems such work to be or not be conflicting with, or depriving the respondent of necessary resources to perform, Community Access Television management for the Council. The Council shall make the final decision as to whether any conflict exists.

Evaluation Criteria

Upon receipt by the due date of responses to this RFQ, the Council's staff Selection Review Committee will evaluate all responses received based upon the criteria listed hereinbelow and in Council Rule 45, a copy of which is attached. Particular emphasis will be placed on the following criteria:

- I. Experience of the Key Personnel and other personnel in television/media production and programming.
- II. Quality of work samples presented.
- III. Clear understanding by the applicant of work minimally necessary to be performed, together with a sound plan for expanding quality programming.
- IV. Capability of providing consistent, timely services, including experience in human relations and employee management.
- V. How respondent's funding will be efficiently used to maximize benefits for the purposes of PEG Access programming.
- VI. Demonstrated experience in creating and managing budgets, financial reporting, and financial accountability.
- VII. Creativity in all aspects of the proposal and demonstrated ability to execute.
- VIII. Involvement at the management level of certified disadvantaged business enterprises as evidenced by government-issued certification thereof, in compliance with City Code Section 70-458 (attached).
- IX. Whether Respondent is a resident of Orleans Parish.

RFQ Process

Except as provided hereinbelow, no written, electronic or oral communications from any actual or potential proposer or responder to this RFQ shall be made to any Councilmember, city employee or Council staff person during this Request for Qualifications process, which is the Blackout Period. The Blackout Period is a specified period of time during this competitive RFQ process in which any actual or potential proposer or responder or their/its agent or representative, is prohibited from communicating with any City Councilmember, Council staff person, or City of New Orleans employees regarding any matter related to the RFQ process. All communications to and from any actual or potential proposer or responder and or their/its agent or representative during the Blackout Period must be in accordance with this RFQ's defined method of communication with the designated contact person. The Blackout Period will begin upon posting of this RFQ. The Blackout Period will end when the contract is awarded.

Any and all inquiries may only be made in writing to the Director of the City Council Utilities Regulatory Office, Room 6E07, City Hall, 1300 Perdido Street, New Orleans, LA 70112 or wtstrattonjr@nola.gov. In addition, questions may be asked at pre-proposal conferences which will be conducted by one or more members of the Selection Review Committee. **It is mandatory for respondents to attend at least one pre-proposal conference.** Pre-proposal conferences will be held on Tuesday, June 14, 2016 at 2:00_p.m. and on Monday, June 20, 2016 at 10:00 a.m. The meetings will be held at Room 2W16 or such other room as may be available at City Hall, 1300 Perdido Street, New Orleans, LA 70112, following which those in attendance will have the opportunity to view the Council's video and streaming setup in the Council Chamber.

Fifteen (15) copies of the submission, including samples of work products, must be submitted in

hard copy form by 3:00 p.m. on Monday, June 27, 2016 to the City Council Utilities Regulatory Office, Room 6E07 City Hall, 1300 Perdido Street, New Orleans, LA 70112. Where possible, an electronic version of the proposal should also be submitted to pthoma@nola.gov and wtstrattonjr@nola.gov.

A staff Selection Review Committee composed of the Council Chief of Staff, the Council Research Officer, the Council Fiscal Officer, the Council Utilities Regulatory Officer and/or additional knowledgeable persons appointed by the Council Chief of Staff pursuant to Council Rule 45 will review and evaluate the submissions, and select qualified proposals for referral to the UCTT Committee. For each submission selected for referral, the staff committee will contact one or more of the persons suggested as references.

The Inspector General shall be notified in writing prior to any meeting of a selection or negotiation committee relating to the procurement of goods or services by the city, including meetings involving third party transactions. The notice required shall be given to the Inspector General as soon as possible after a meeting has been scheduled, but in no event later than twenty-four hours prior to the scheduled meeting. The Inspector General may attend all city meetings relating to the procurement of goods or services as provided herein, and may pose questions and raise concerns consistent with the functions, authority and powers of the Inspector General. An audio recorder or court stenographer may be utilized to record all selection or negotiation committee meetings attended by the Office of the Inspector General.

The report of the staff committee will be provided to the UCTT Committee. The UCTT Committee shall interview one or more of the respondents selected by the staff committee. The UCTT Committee may make a recommendation to the City Council. The contractor must be selected by Motion of the Council.

Term of Service

Assuming the continued City Council satisfaction with the selected Manager's performance the Manager will serve for a three-year period with the opportunity to be extended for one-year periods.

Additional Information

1. The City of New Orleans is not liable for any costs incurred prior to entering into a formal written contract. Any costs incurred in the preparation of the statement, interview, or other pre-contract activity are the responsibility of the person submitting the statement.
2. All submissions become the property of the City and as such are public information.
3. Any contract awarded shall contain a provision that the Council shall be informed of any subcontractor proposed to be retained by the respondent to perform work on the contract with the City Council.

Section 9-1120, Chapter 2 of the Code of the City of New Orleans, relative to the Office of Inspector General provides in part as follows:

“Every city contract and every bid, proposal or solicitation for a city contract, and every application for certification of eligibility for a city contract or program shall contain a statement that the corporation, partnership, or person understands and will abide by all provisions of this chapter.”