
public art opportunity

TWO INDIGENOUS PUBLIC ART OPPORTUNITIES IN TORONTO'S WEST DON LANDS

WATERFRONT TORONTO

AUGUST 05, 2021



WATERFRONTToronto

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APPLICATION FORM

1 INTRODUCTION AND BACKGROUND

REQUEST FOR QUALIFICATIONS (RFQ) OVERVIEW

Waterfront Toronto (legally named Toronto Waterfront Revitalization Corporation) in collaboration with Indigenous Public Art Curator Ryan Rice, is seeking Requests for Qualifications (RFQ) from Indigenous artists or Indigenous artist-led teams for two (2) significant, permanent site-specific public art commissions in Toronto's West Don lands. The first site for artwork is located on the plaza of the future Anishnawbe Health Toronto's Indigenous Hub. The second site is the triangle of land formed by the intersection of King, Queen and River Streets. Each artwork will contribute towards celebrating and acknowledging historical and contemporary Indigenous visual culture as city placemaking.

This RFQ is open to all interested practicing Indigenous artists and Indigenous artist-led teams from across Canada. The combined budget for both projects is **\$1,750,000 CAD**. Budgets will include all costs, including those directly associated with the artwork fees for design, fabrication, installation, engineering, and professional services.

This RFQ is the first stage of a competition, open to all Indigenous artists or Indigenous artist-led teams who have proven experience and expertise as practicing artists, relevant to the commissioning opportunity and objectives outlined below in the project descriptions.

It is Waterfront Toronto's intention, following this prequalification process, to invite approximately four (4) Artists for each project to proceed to the Request for Proposal (RFP) stage; however, Waterfront Toronto reserves the right to change this number at its sole discretion, which may be based on the number and quality of submissions received. Shortlisted artists will receive an honorarium to cover the expenses of the RFP stage, including a site visit and concept development. Following the RFP stage, Waterfront Toronto intends to identify one successful artist or artist-led team for each project.

In order to maximize the participation of different Indigenous artists, Waterfront Toronto intends to award these two public art opportunities to two different artists. The Indigenous artist or Indigenous artist-led teams may express interest in being considered for both opportunities, but will likely be shortlisted to proceed to the RFP stage for one project, the selection of which will be made by the evaluation committee. Waterfront Toronto reserves the right to change this criterion, at its sole discretion and upon recommendations made by the evaluation committee.

Please note that due to COVID-19 restrictions, meetings, presentations, and outreach and engagement for the later stages may be done virtually.



Anishnawbe Health Toronto building, view from Cherry Street

Anishnawbe Health Toronto (AHT)

2 PROJECT SITES AND OBJECTIVES

SITE CONTEXT

On the Ancestral territory and crossroads stewarded by the Anishinaabe, the Haudenosaunee, the Huron Wendat and the treaty territory of Mississaugas of the Credit, these projects, located centrally to the area of the West Don Lands, shall acknowledge and represent the ancestral connections among the many Indigenous communities and Nations this territory has supported from time immemorial.

The West Don Lands, originally a marshland that became industrialized, occupies a unique site at the original mouth of the Don River. The area was a challenging brownfield site in the flood plain of the Don River that required remediation and flood protection before any redevelopment could occur and ensure successful revitalization to both its natural landscape and built environment. The West Don Lands is now being transformed as Toronto's next great neighbourhood; a community that is people focused, family friendly, environmentally sustainable, and beautifully designed for living.



Anishnawbe Health Toronto building, aerial view from the southwest

SITE 1

INDIGENOUS HUB

This site is located at the southwest plaza of the new Indigenous Hub in the West Don Lands. It will include a centralized, state of the art health facility serving Toronto's Indigenous community, built on lands owned by Anishnawbe Health Toronto and conveyed by the Province.

The Indigenous Hub is a mixed-use city-block cluster of buildings incorporating a full development plan consisting of the four-storey Anishnawbe Health Toronto community health centre, a five-storey training centre for Miziwe Biik, and a 13-storey and 11-storey mixed-use condo and residential rental apartment buildings. The Hub will also incorporate the 1859 built heritage Canary Building that housed the Palace Street School, the Cherry Street Hotel, and the Canary Restaurant. Indigenous aesthetics and design elements provided by Two Row Architect will be embedded throughout the entire complex.

ANISHNAWBE HEALTH TORONTO (AHT)

The new home for AHT is being planned as a 4-storey special-purpose-built and culturally appropriate facility of approximately 44,000 square feet of building space and 10,400 square feet of outdoor space to accommodate public and private ceremonial and traditional practices that includes a Sweat Lodge and Ceremonial/Healing Gardens. This new facility will allow for the consolidation of AHT's programs and services at one location, currently being provided across three sites in Toronto. The planning, design, and construction of the Health Centre is grounded by AHT's Mission to improve the health and well-being of Indigenous People in spirit, mind, emotion, and body. AHT's programs reflect the full integration of Western Medicine with Traditional Indigenous Healing within a multi-disciplinary health care model. In space comprised of ambulatory clinics, exam rooms, counselling rooms, a dental suite, a community group room, and a community kitchen, the Health Centre will offer a range of on-site day programs as well as outreach programs, including the following:

- Primary Care Program
- Child, Youth and Family Program
- Mental Health and Addictions Program
- Withdrawal Management and Addiction Medicine Program
- Two Spirited and Trans Program
- Indigenous Palliative Care Program
- Dental Program
- Physiotherapy
- Chiropody

Maternal/Infant
Diabetic Services
Traditional Healer Services
Youth Outreach
Community Development Planning

Overall, the new Health Centre will facilitate the full realization of AHT's vision for a healed or healing community spirit through reconciliation and respect, within a healthy environment that embraces Indigenous identity and culture.

DESIGN

The new Indigenous Hub, designed in the location of the former river delta and estuary, is intended to reference the importance of this specific place through its layers of design elements across the entire block. Comprised of five unique buildings, each one tells its own piece of the story starting with the ground plane and AHT building. Designed to appear as if being worn and rounded from the movement of the water, the building's ground floor is carved into the block with only remnants of pebble shaped spaces remaining. This concept also informs the urban realm, which encircles the entire block. The other buildings in the block also speak to acknowledging the ground plane, the concepts of craft, and the sky.

OBJECTIVES

The artwork should:

- Be visually and physically accessible to the public
- Be harmonious with the surrounding public realm
- Be durable to withstand the rigors of being outdoors and publicly-accessible
- Be a suitable scale for maximum visibility from multiple vantage points and a distinct prominent feature of the Hub's plaza
- Be welcoming, reflective and inclusive of all First Nations, Inuit and Métis visitors
- Make a conscientious effort to respect place, cultural continuity and wellness through creativity
- Make a vibrant statement through the artwork to celebrate Indigenous art, culture and heritage
- Be mindful of the architectural narrative incorporated throughout the hub
- Be attentive to engaging with a diverse community and the proposed activities and southwest plaza gatherings

- Be mindful of public safety
- Be respectful and receptive to territorial recognition and histories of place
- Be a bridge between urban infrastructure and inherent values of stewardship

ART LOCATION OPTIONS

The southwest plaza is envisioned as a cultural gateway to the Indigenous hub from the Distillery District. It will be a multi-functional shared outdoor space that will facilitate and program cultural activities and commerce opportunities. This highly visible location will be a publicly accessible, high foot-traffic area of the Indigenous Hub, ensuring widespread visibility and engagement with the artwork.

The commissioned work could be integrated or anchored into the ground surface of the plaza, or installed on an adjacent building wall, or a combination of these (multiple sites). However, artwork must have a direct relationship to the location's functioning circular plaza. The artwork could take many forms, such as a traditional sculpture, an art installation, digital media, or combine a variety of mediums. Artwork should interface / complement and not compete with the overall architectural design elements of AHT.

Several locations have been identified as possibilities for public art. These are indicated below. Artist proposals must specifically address these location options:

1.Plaza Circle

The southwest plaza circle is reserved for community facilitated activity year-round. However, the circle itself lends to an opportunity for public art. Artwork could be integrated into the ground surface with design elements. Additionally, a design could either delineate or bleed out from the circle's perimeter to create a borderline and/or functional components such as public seating, platform/stage, and landscaping.

2.Plaza

Certain areas have been identified as opportunities for three-dimensional art. The interior of the circle must be clear of three-dimensional artwork as the space will be used for public programming and community engagement. Artists must work with the AHT design and construction teams to design art foundations that align with sub-surface constraints.

3. Second Floor Rental Tower Panel

The exterior of the second-floor rental tower overlooking the plaza has been identified as a possible artwork location. Artists may develop artwork for the opaque spandrel panel (curtain) on the building's exterior façade.

4. Utility Wall and Ledge

The exterior of the brick wall joining AHT and the Rental Tower is a consideration for public art. The wall can accommodate flat or low-relief art that could be mounted, and/or protrude. The ledge atop the brick wall overlooks the southwest plaza as well as the interior garden and cultural designed space of AHT.

5. Combination of Sites (multiple components)

The public art can extend across multiple sites identified above and take a variety of forms. Details of each location will be provided at the RFP stage.

BUDGET

The artwork budget for Site 1, which includes all fees and expenses related to the design, engineering, fabrication and installation of the artwork, including any sub-consultants' fees and travel, is **\$750,000 CAD plus HST.**

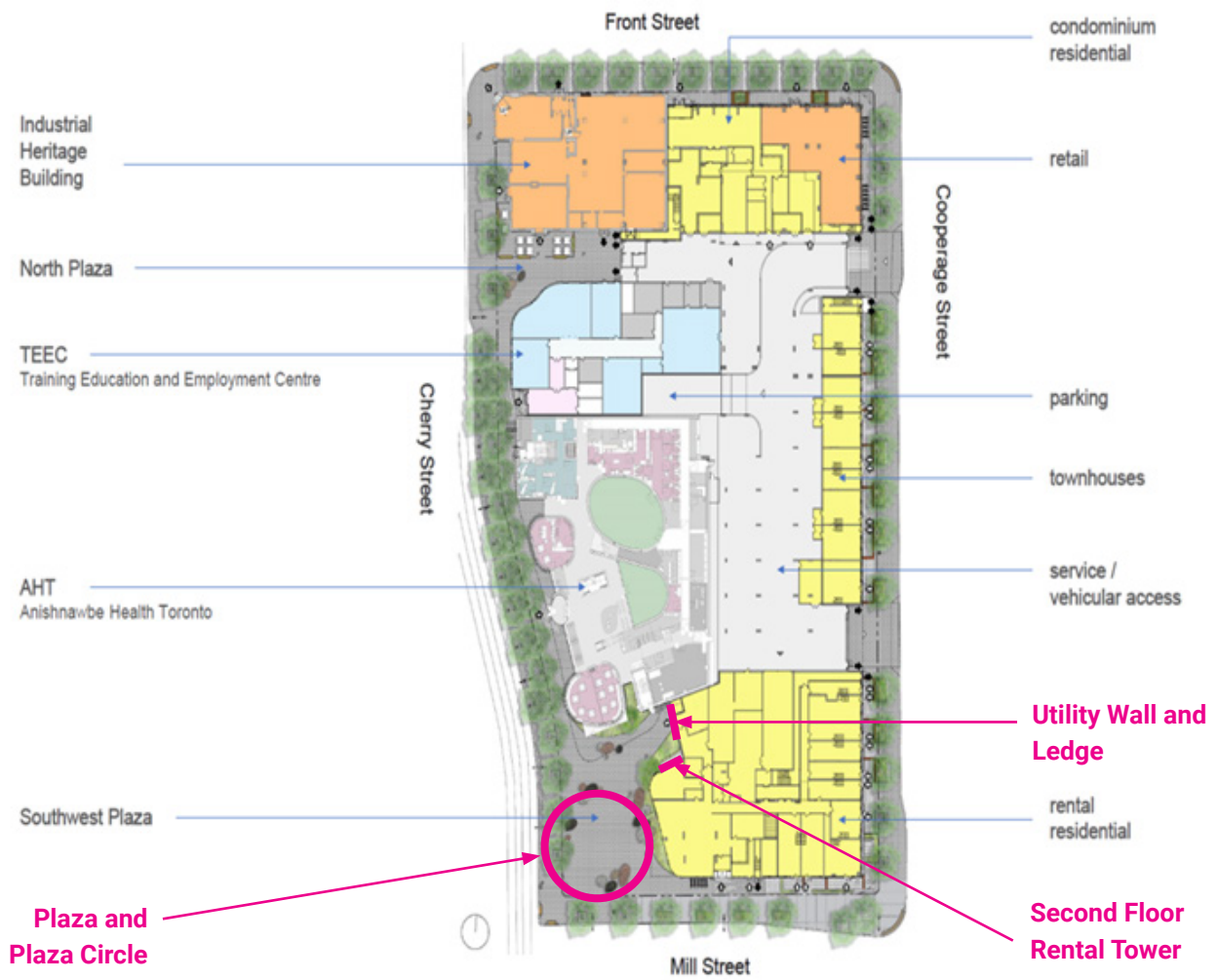


Diagram showing public art location options for Site 1: Indigenous Hub

SITE 2

KING/QUEEN TRIANGLE

The King/Queen Triangle is a unique site situated alongside the route of the Don River, which has been earmarked for public realm improvements. Part of this vision is to transform an undefined, transitory area wedged between high traffic transportation corridors, into a welcoming gathering space for nearby communities and the public at large. This is an exciting opportunity targeted to Indigenous artists, which will invigorate a downtown site and create a cultural venue that draws upon a continuum of rich and diverse narratives and relationships connecting time and cultures, and shall regenerate an uninterrupted Indigenous presence to thrive. By adding meaningful artwork and rethinking/reshaping the current landscaping, the triangle will shine as a culturally significant illumination of (urban) Indigeneity.

The site is located at the intersection of King, Queen and River Streets, which currently forms the eastern gateway into the Corktown neighbourhood. The triangle of land slopes down toward Bayview extension and under the Queen Street Viaduct, in the direction of the Don River. A forked pedestrian path runs through the site.



The site forms part of the flood protection landform¹ that protects this part of the city from the Don River in severe storms; therefore, artists must identify and sub-contract a landscape architect familiar with the constraints and opportunities posed by the geotechnical requirements for maintaining the structural integrity and dimensions of the flood protection landform. Artists may wish to consider altering the site's landscape to accommodate the artwork and make the area more welcoming and accessible to the public; however, this can only be done in ways that do not undermine the integrity of the landform. Upon request, Waterfront Toronto can provide artists with a list of landscape architects with whom they have collaborated in the past. Consultation and guidance from the Toronto Region and Conservation Authority (TRCA) may also be required. Artwork and landscaping must work with underground water infrastructure and related constraints. A detailed map will be included in the RFP stage to identify each section of the site, and its opportunities and constraints.

The immediate community around the site comprises a blend of longer-term residents, residents who have moved into a new market and affordable housing, and a community college residence. The affordable housing includes seniors and families, including housing for Indigenous families, and persons with disabilities, including para-athletes. The successful Indigenous artwork will additionally engage Corktown community objectives to celebrate and broaden the history, culture, and significance of this site by transforming it into a welcoming space that ties the diverse neighborhood together.

OBJECTIVES

The artwork should:

- Be a suitable scale for maximum visibility from multiple vantage points and a distinct prominent feature of the King / Queen Triangle
- Be welcoming, reflective and inclusive of all First Nations, Inuit and Métis visitors
- Be harmonious with the surrounding public realm
- Be durable to withstand the rigors of being outdoors and publicly-accessible

¹A flood protection landform is generally defined as a water barrier made of earth that provides permanent flood protection. Landforms are similar to dykes, since they are man-made barriers placed adjacent to river corridors to provide passive protection from flooding. Unlike traditional dykes, however, landforms are built on a much larger scale with very gentle slopes.

- Make a vibrant statement through the artwork to celebrate Indigenous art, culture and heritage
- Be mindful of the architectural environment and sightlines
- Be attentive to engaging with diverse communities, urban bustle and transient space
- Be mindful of public safety
- Positively influence territorial recognition and multiple histories of place
- Be a bridge between urban infrastructure and re-naturalized environment
- Make the site more welcoming and accessible
- Connect patterns of movement drawn from routes and adjacent river

BUDGET

The artwork budget, which includes all fees and expenses related to the design, engineering (and any associated exploratory work), fabrication and installation of the artwork, including any sub-consultants' fees and travel, is **\$1,000,000 CAD plus HST.**



King/Queen Triangle, looking towards the Bayview extension and the Don River



King/Queen Triangle, looking towards Queen and King Streets

3 CURATORIAL STATEMENT

The wealth of Indigenous land-based knowledges and stewardship of place reveal invaluable connections to layered histories that shift and fluctuate over time. The prospects to restore relationships to the land by cultivating Indigenous narratives and legacies of occupancy in urban spaces enlivens a greater sense of place and belonging to unite past generations with future ones. In this context, the conceptual nuanced principles of place-making and place-keeping proactively initiate a symbolic form of re-territorialisation, and revives recognition of Indigenous urbanism from its obscured presence. By (re)centering Indigeneity to place through the socialization of visual culture, Indigenous visual sovereignty manifested as public art becomes perceptible, influential/impactful and distinct within the contemporary cultural landscape. As such, Indigenous artists can shape their creative expression to convey cultural continuity through the acknowledgement of care and prioritize an intercultural sense of engagement that amplifies historical and contemporary relationships and custodial responsibilities within the shared territory of Tsí Tkaròn:to.

In alignment with Anishnawbe Health Toronto's aspirations to build a healthy and thriving community, the addition of public art is significant to their overall vision. AHT recognizes creative expression is a positive attribute in attaining holistic wellness that encompasses spirit, mind and emotion, which can be commemorated through cultural representation and is reflective of its values. Public art offers visual permanence that will conceptually and aesthetically activate the plaza to embody cultural awareness and distinction. It will generate a compelling connection/relationality to place and establish a greater sense of belonging to honour and empower the Indigenous community.

Toronto's Corktown King/Queen/River Triangle site, located in proximity to the Queen viaduct, Don River and AHT's Indigenous Hub, welcomes the opportunity to reflect upon and build a vibrant Indigenous landmark empathetic to recognizing a broader legacy of occupancy, urban heritage, and historical legacies experienced through encounter and intersection. At a site where symbolic imperialism is subconsciously maintained, sharing space at this gateway will be inspired by the creative vision and responsiveness offered through Indigenous visual culture to acknowledge the co-existence of complex narratives to place that can restore, honor and shape the iconic neighborhood as a thriving cultural urban centre that celebrates inclusivity and preservation.

4 BACKGROUND

WATERFRONT TORONTO CORPORATE MISSION

Waterfront Toronto is the public advocate and steward of waterfront revitalization. Created by the Governments of Canada and Ontario and the City of Toronto, Waterfront Toronto is mandated to deliver a revitalized waterfront. Formally created in 2001, Waterfront Toronto has a 25-year mandate to transform 800 hectares (2,000 acres) of brownfield lands on the waterfront into beautiful, sustainable mixed-use communities and dynamic public spaces.

The project is the largest urban renewal project currently underway in North America and one of the largest waterfront redevelopment initiatives ever undertaken in the world. However, it is not just the sheer scale of the project that makes it unique. Waterfront Toronto is delivering a leading-edge city-building model that seeks to place Toronto at the forefront of global cities in the 21st century.

A primary objective of waterfront revitalization is to leverage the infrastructure project to deliver key economic and social benefits that enables Toronto to compete aggressively with other top tier global cities for investment, jobs and people. To do this, Waterfront Toronto brings together the most innovative approaches to sustainable development, excellence in urban design, real estate development, and advanced technology infrastructure.

Further details may be obtained from Waterfront Toronto's website: www.waterfronttoronto.ca

WEST DON LANDS

The West Don Lands comprises approximately 32 hectares (80 acres) of land that runs from Parliament Street in the west to the Don River in the east and from King Street down to the rail corridor. The area is surrounded by several established communities – including Corktown and the Distillery District – and is within walking distance of the downtown.

This land was contaminated from past industrial use. In 2003, Waterfront Toronto was tasked with developing a vision for how to turn these lands into a new neighbourhood. Through thoughtful and extensive community engagement and collaboration with government partners, Waterfront Toronto completed the award-winning Precinct Plan to transform these lands into a pedestrian-focused, family friendly and sustainable community built around parks and public spaces.

High-quality parks and public realm are among the area's hallmarks. Corktown Common, the centrepiece of the community, is an active, vibrant and inviting park that serves the local neighbourhood and residents from across Toronto. Underpass Park, an extensive park built under an overpass in Canada and the first in Toronto, transformed an unused area into a family-friendly recreational community space. The Front Street Promenade, a linear park that is the spine of the new neighbourhood, is programmed with public art installations and linked to the area's secondary network of mews, courtyards and pathways to create a healthy, walkable community. The area also includes the Cooper Koo Family YMCA, George Brown College's first-ever student residence and Toronto's first "Woonerf" (curbless) streets.

In 2015, the West Don Lands served as home to the Pan/Parapan Am Games Athletes' Village. The village provided accommodation and games-related services for the 10,000 athletes and officials participating in the event and when the Games were complete, the village's buildings and suites were converted to permanent use.

In 2017/18 the West Don Lands won an Urban Land Institute Global Award for Excellence and was praised as, "a global showcase of city-building...that's for and about the people it serves."

PUBLIC ART PROGRAM

Waterfront Toronto views the implementation of a dynamic public art program as an integral component of a vibrant public realm. Waterfront Toronto has completed six public art commissions in the nearby West Don Lands neighbourhood, which comprise Phase 1 of the West Don Lands Public Art Strategy.

In line with City of Toronto and Waterfront Toronto efforts to advance Indigenous place-making in the public realm, the inclusion of public art by Indigenous artists will be a prominent feature that will represent, promote and affirm cultural well-being and belonging. Building on the functionality of community and public engagement, the outdoor locations for the permanent public art commissions will be enlivened by Indigenous visual art and culture, and will be imagined as prominent features that will represent, promote, and affirm cultural presence and pride in unique spaces that act as a primary gateway of confluence at these sites.

5 INSTRUCTIONS TO ARTISTS

PROCESS

Artwork selection for both sites will follow a two-stage competition.

STAGE 1: OPEN REQUEST FOR QUALIFICATIONS (RFQ)

The RFQ invites practicing Indigenous artists or Indigenous artist-led teams to submit their applications to be considered for the projects. The Indigenous Public Art Curator and Waterfront Toronto will coordinate an Indigenous evaluation committee who will review applications and determine a shortlist of approximately four (4) artists for each public art opportunity. Should an artist or artist team be shortlisted for both projects, they will be expected to meet the RFP deadline as indicated and will receive one honorarium per project.

STAGE 2: REQUEST FOR PROPOSALS (RFP)

The RFPs will be sent only to the artist shortlist. A briefing session and site visit will follow in order to review the site potential in detail. Up-to-date architectural information, 3D files, neighbourhood context and area history, among other information, will be included in the RFPs in order to best assist the artists in their concept development. Proponents will then prepare detailed concepts for which they will be paid an honorarium. For the King/Queen Triangle, Waterfront Toronto will offer a briefing session to each shortlisted artist to review their concepts halfway through their development process, in order to offer technical guidance about the flood protection landform. A Technical Advisory Committee (TAC) will review and provide input on each final shortlisted submission for both projects. The TAC will include representatives of the client, the design team, the City, Waterfront Toronto, and the Indigenous Public Art Curator. Submissions will be reviewed by the evaluation committee in order to determine a finalist.

The winning artist(s) will be contracted by Waterfront Toronto to develop the public art concept.

PROPOSED RFQ TIMELINE

Call for Indigenous Artist submission	August 5, 2021
Artist Briefing Session*	6 p.m. EST, September 15, 2021
Deadline for Questions	September 30, 2021
Submission Deadline	4 p.m. EST, October 7, 2021
Evaluation Committee meeting	November 1, 2021
Notification of Shortlist	November 10, 2021

For the virtual **Artist Briefing Session, please email publicart@waterfrontoronto.ca to register and a link will be provided.*

ENQUIRIES / COMMUNICATION

All communications will go through publicart@waterfrontoronto.ca and enquiries will be reviewed by the Indigenous Public Art Curator and the Waterfront Toronto Public Art Program Manager.

6 SUBMISSION INSTRUCTIONS

Proposals must be received by email to publicart@waterfrontoronto.ca on or before the Submission Deadline, with the subject: **Indigenous Public Art Opportunity West Don Lands**. Late submissions will not be accepted by Waterfront Toronto. **File size should not exceed 25MB**. Artists should submit entries in a **single PDF document**. Application Forms may be submitted as a separate document.

Each RFQ submission must include the following:

- **Completed Application Form.**
- **Artist Statement & Expression of Interest** – a maximum of two pages outlining interest in the project, and showing relevant experience, ability, and general artistic approach to the commission and curatorial statement.
- **Curriculum Vitae** – a maximum of 6 pages detailing creative practice and professional experience. If the Artist submission comprises an Artist team, a CV for each member comprising the team should be provided, unless the artist team has a history of collaborative practice together, in which case it is understood that there will be one CV for the team.
- **Recent Work** - a maximum of eight (8) relevant images of artistic practice and recently completed work. Selected examples should demonstrate the capability of the Artist or Artist team to undertake and successfully deliver all aspects of the project scope. Supporting images should include a caption with Artist name, title, materials, dimensions, location, budget, and commissioning body. Audio/video files may count towards the (max) 8 examples and may be provided via URL within the pdf.
- **References** - include the names and contact information for up to three references, preferably from recently completed projects, commissions and/or exhibitions relevant to the RFQ. Waterfront Toronto may contact the names or persons identified by the artist, and in addition, contact persons or entities other than those identified by the artist.

Note: Artwork concepts are NOT required at this RFQ stage.

SUBMISSION DEADLINE

Artists submitting after the Submission Deadline will not be considered by the evaluation committee.

7 EVALUATION, SELECTION AND AWARD PROCESS

If there are any questions about submissions, they should be asked in advance of the Deadline for Questions. See section 4 “Enquiries/Communications”.

Applications from Indigenous artists or Indigenous artist-led teams (First Nations, Inuit, and Métis from Canada) will be welcomed. Applicants will be asked to identify their Nation(s) and community, band and/or reserve with whom they affiliate. Artists must have familiarity with the territory of the GTA and Indigenous urban communities.

Applicants should also meet the criteria of a practicing artist as defined by the Canada Council for the Arts guidelines:

- has specialized training in the artistic field (not necessarily in academic institutions)
- is recognized as a professional by his or her peers (artists working in the same artistic tradition)
- is committed to devoting more time to artistic activity, if possible, financially
- has a proven history of public presentation of exhibitions, projects and/or publications.

Artists may apply individually or can submit a collaborative team proposal. The lead is required to be Indigenous and a practicing artist.

EVALUATION

Submissions will be reviewed by an independent evaluation committee convened for this process. This evaluation committee is comprised of prominent external individuals representing expertise in Indigenous contemporary visual arts and culture, public realm design and knowledge of local context and histories. The same committee will select one successful submission for each project.

When writing statements of interest and compiling images, Artists should consider that their submissions will be evaluated against the following:

- How artists respond to the curatorial statement and their articulation of interest in the project;
- Artist’s body of work has made a significant contribution to contemporary art, particularly in the fields of Indigenous and public art,

by demonstrating innovation insofar as materials, methods, concepts, and subject matter;

•Work shows consistent excellence and high quality, and the artist's process reflects a thoughtful, respectful and critical approach to the project;

•Work demonstrates cultural sensitivities to its location and seems appropriate to this project site;

•Previous experience working on big budget, large-scale public art projects that are technically complex is an asset;

•Experience collaborating with multiple disciplines on a project (e.g. elders, community constituents, civil engineers, landscape architects, fabricators, installers, etc.);

•Knowledge of Indigenous histories and urban Indigeneity of Toronto;

•Well-versed in cultural protocols and community engagement.

TECHNICAL EVALUATION

The RFQ Submissions will be evaluated according to the following sub-criteria and their associated weightings.

Artist Statement and Expression of Interest	35 points
Curriculum Vitae	30 points
Recent Work and Images	35 points
Total	100 points

Waterfront Toronto may set threshold scores for any evaluation criterion, at its sole discretion. Any Proposal not meeting a threshold score will not be given further consideration.

PROPOSAL CLARIFICATIONS

Waterfront Toronto may request from any Artist a clarification of the contents of their RFQ Submission, or supplementary information or documentation clarifying matters contained in their RFQ Submission, or seek an Artist's acknowledgement of Waterfront Toronto's interpretation of any aspect of the RFQ Submission (regardless of whether such Artist(s) should or could have included the information in its/ their RFQ Submission).

Notwithstanding the foregoing, Waterfront Toronto is not obliged to seek any such clarifications. Any information so received, may, in Waterfront Toronto's discretion, be considered and deemed to be an integral part of an RFQ Submission and may be evaluated as such.

VERIFICATION OF RFQ SUBMISSION

Waterfront Toronto may, in its sole discretion, verify any statement or claim contained in any RFQ Submission or made subsequently in any interview or discussion. In submitting an RFQ Submission, an Artist is deemed to consent to Waterfront Toronto verifying any information from third parties and receiving additional information regarding the Artist or Artist Team, and any other person associated with the Artist or Artist Team as Waterfront Toronto may require.

REQUEST FOR PROPOSALS (RFP) STAGE

Following the evaluation of RFQ Submissions in response to this call, approximately 4 artists will be selected per project to develop proposals based on an RFP provided only to shortlisted Artists. These shortlisted Artists will be eligible for an honorarium in Canadian funds upon completion of all requirements outlined in the RFP. Honoraria budget is commensurate with the overall artwork budget. **For Site 1 (AHT) the honorarium is \$4,000 CAD. For Site 2 (King/Queen Triangle) the honorarium is \$5,000 CAD.**

It is recommended that shortlisted Artists (or a representative of the Artist) attend a site visit and briefing session before they begin proposals for this second stage. Costs for this site visit will be covered by the RFP honorarium. Site visits will be determined based on Covid-19 travel restrictions and will follow public health guidelines.

FUTURE CONTRACT FOR SERVICES

After the RFP stage, the successful Artist or Artist Team will be expected to enter into a contract with Waterfront Toronto substantially in the form of a Public Artwork Agreement. The winning artwork concept will be implemented by the artist as a design-build contract and the successful Artist or Artist Team will be responsible for all aspects of administration and payment for the design, fabrication, and installation of the final artwork concepts.

After Waterfront Toronto has awarded the contract, any unsuccessful Artist or Artist Team is entitled to a debriefing session. If you wish to request a debriefing session, please contact publicart@waterfronttoronto.ca referencing the artist's name and RFQ opportunity in the subject line of your email.

COMPLIANCE REVIEW

Prior to evaluating RFQ submissions, Waterfront Toronto will perform a review of each Submission received to determine if it complies with the RFQ submission instructions provided. If an RFQ Submission fails to satisfy all the mandatory submission requirements, Waterfront Toronto will issue the Artist a rectification notice identifying the deficiencies and providing the Artist an opportunity to rectify the deficiencies.

If, in the sole discretion of Waterfront Toronto, an RFQ Submission does not materially comply with the requirements set out in this RFQ and/or Waterfront Toronto determines that there is a material or perceived conflict of interest, then Waterfront Toronto may, without liability, cost or penalty, eliminate the RFQ Submission and the RFQ Submission shall then not be given any further consideration.

8 LEGAL + OTHER MATTERS

Limitations of Liability - No representation, warranty or undertaking, expressed or implied, in fact or in law, is or will be made by, and no responsibility or liability is or will be accepted by Waterfront Toronto in relation to this RFQ.

Acceptance of Terms - Each Proponent, by submitting a Proposal, represents that the Proponent has read, completely understands and accepts the terms and conditions of the RFQ in full.

Costs Incurred by Proponents - Each Proponent shall bear all costs and expenses incurred in respect of any aspect of its participation in this RFQ process. Waterfront Toronto is not liable to pay any costs or expenses incurred by any Proponent in connection with this RFQ, or to reimburse or compensate any Proponent in any manner whatsoever or under any circumstances, regardless of the outcome of the RFQ process.

Errors and Omissions - Waterfront Toronto shall not be liable for any information or advice, whether written or oral, provided or made available to any invited artist or any errors or omissions that may be contained in the RFQ or in such information or advice. Proponents are to rely on their own independent analysis in preparing a submission. No representation, warranty or undertaking, expressed or implied, in fact or in law, is or will be made by, and no responsibility or liability is or will be accepted by, Waterfront Toronto for the completeness or accuracy of any information presented in the RFQ.

Procedural Rights of Waterfront Toronto - Waterfront Toronto has the unilateral and exclusive right, in its sole discretion, at any time either before or after the RFQ deadline, to reject or disqualify any or all Proposals; accept any Proposal; elect not to proceed with the RFP; alter the RFQ process, requirements, project description, scope of work or any other aspect of this RFQ; cancel this RFQ and subsequently advertise or call for new submissions for the subject matter of this RFQ (including any portion thereof); in each case without any liability for costs, expenses or damages incurred or suffered by any Proponent or entity. This RFQ is not a call for tender or an offer to enter into either a binding contract (often referred to as "Contract A") or a contract to carry out the project (often referred to as "Contract B"). Neither this RFQ nor the submission of a response nor its receipt by Waterfront Toronto shall create any contractual rights or obligations whatsoever on either Waterfront Toronto or any Proponent, nor oblige Waterfront Toronto in any manner whatsoever.

Disqualification - Without limiting any of the rights of Waterfront Toronto as set out under Procedural Rights, Waterfront Toronto may, in its sole discretion, disqualify a Proposal, at any time prior to or after the execution of an agreement, if:

- the Proponent fails to comply with the laws of the Province of Ontario or of Canada, as applicable; or the Proponent has been convicted of an offence in connection with, or any services rendered to Waterfront Toronto or any Ministry, Agency, Board or Commission of the Government of Ontario, City of Toronto or the Government of Canada; or there is evidence that the Proponent was convicted of a criminal offence within three years immediately prior to the Submission Deadline;
- the Proposal, in the opinion of Waterfront Toronto, reveals a real, foreseeable or perceivable conflict of interest as defined herein; or
- the Proposal contains false or misleading information; there is evidence of collusion or that the Proponent has breached an agreement for services similar to the ones requested under this RFQ with an entity other than Waterfront Toronto.

Governing Law - This RFQ and any agreement(s) that flow from it shall be governed and construed in accordance with the laws of Ontario and the applicable laws of Canada. The Proponent agrees that:

- any action or proceeding relating to this RFQ process shall be brought in any court of competent jurisdiction in the Province of Ontario;
- it irrevocably waives any right to and will not oppose any Ontario action or proceeding relating to this competition on any jurisdictional basis; and
- it will not oppose the enforcement against it, in any other jurisdiction, of any judgment or order duly obtained from an Ontario court as contemplated by this RFQ.



Aerial view of West Don Lands

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REQUEST FOR QUALIFICATIONS

