



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1718-137 CO#1

File ID: K-1718-137 CO#1

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 16

In Control: City Council

Department: City Manager
Department

Cost:

File Created: 08/21/2019

File Name: Final Acceptance and Payment

Final Action:

Title: CHANGE ORDER NO. ONE TO CONTRACT K-1718-137: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, KIRKPATRICK FOREST CURTIS, PC, AND PAUL COCKSEGE STUDIO INCREASING THE CONTRACT AMOUNT BY \$579 FOR A REVISED CONTRACT AMOUNT OF \$114,079 FOR THE NORMAN FORWARD CENTRAL LIBRARY PUBLIC ART PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract K-1718-137 with Kirkpatrick Forest Curtis, P.C., and Paul Cocksedge Studio increasing the contract amount by \$579 for an revised contract amount of \$114,079; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of \$114,079 to Kirkpatrick Forest Curtis, P.C., and Paul Cocksedge Studio

ACTION TAKEN: _____

Agenda Date: 09/10/2019

Agenda Number: 16

Attachments: Change Order Artwork

Project Manager: Terry Floyd, Development Coordinator

Entered by: terry.floyd@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1718-137 CO#1

Body

BACKGROUND: The City of Norman, the Public Art Board and the Norman Arts Council (NAC) have partnered in projects to install art in public places within the City of Norman. Through this partnership, the NAC has purchased art pieces, and the City provides a location

for the piece(s) within public spaces owned by the City of Norman.

With the adoption of NORMAN FORWARD, the City committed to expend an amount not to exceed 1% of the aggregate construction costs of major facilities and community parks improvements costs on public art at those facilities and parks. Because of the City's positive relationship with the NAC and the NAC's commitment to the sense of community fostered by public art, the NAC agreed to expand the partnership with the City of Norman to assist with the selection, location, and installation of public art purchased with NORMAN FORWARD sales tax revenue. The terms of this partnership were discussed at the City Council Conference of February 9, 2016 and at the NORMAN FORWARD Citizen's Financial Oversight Committee meeting of March 28, 2016.

Under the terms of the approved Services Agreement (Contract K-1516-132), the NAC will serve as the administrator for the selection, location, and installation of public art purchased with NORMAN FORWARD sales tax funds. The NAC works cooperatively with the City to recommend appropriate works of art for selected facilities and sites paid for with NORMAN FORWARD funds.

The NAC administers the selection of public art through four phases. The first phase, Project Development, includes research by the NAC into similar projects at applicable locations such as libraries, parks, sports facilities, aquatic centers, and public pools. During Project Development, the NAC will assemble a Project Team comprised of NAC members; community members with pertinent expertise; NORMAN FORWARD Ad Hoc Committee member(s); and Norman Public Arts Board member(s). The City may choose to appoint a Councilmember and/or City staff person to the Project Team.

Once the Project Team is assembled, the Team evaluates public art opportunities; develops a project budget; creates a Selection Panel for selection of the artwork; and establishes a timeline for each project. The Selection Panel may be different for each work of art, but the Panel may be made up of the following members: community stakeholders; design professionals; City Manager designee; and member(s) of the NORMAN FORWARD Ad Hoc Committee associated with the project.

The second phase is the Selection Process, including the following: project announcement and advertising; the Selection Panel reviews submissions as a "blind jury"; development of a finalist short list; mandatory site visits for selected finalists; final proposal presentations; selection of artist; and contract negotiation and approval. Once an artist is chosen, the NAC, through the City Attorney's Office, will negotiate a contract with the chosen artist. City Council will then consider the contract for approval, and the artist shall complete the work of art according to the terms of his or her contract.

The third phase will be the Execution and Installation Process. During this phase, NAC will coordinate with the City for permitting and plan approvals; with the artist for fabrication and installation; and with either the City or the artist regarding any issues which might arise.

The last phase is Public Engagement and Education. During this phase, once the work of art is

complete, the NAC will design and install appropriate markers for the work of art as well as taking archival-quality audio, video, and/or photographs. The NAC will also work to generate public awareness and appreciation for each work of art through press releases, social media, and other appropriate channels. The NAC will also collaborate with City Staff regarding care and maintenance of each work of art.

Under the terms of the Services Agreement, the City of Norman will fund public art installed at, or as a part of, NORMAN FORWARD sales tax funded projects up to 1% of construction costs for: Central Library, East Library, Indoor Multi-Sports Complex Facility, Indoor Aquatic Center, Westwood Recreational Complex, Ruby Grant Park, Andrews Park, Saxon Park, Reaves Park, and Griffin Park. These costs (the "NORMAN FORWARD Public Arts Fund" or "NFPAF"), aggregated together, are estimated to be \$1.2 million.

NORMAN FORWARD sales tax-funded public art installations have been completed at the Westwood Park Complex ("*Splash*") and the Norman Public Library, East branch ("*Prairie Wind*"). Project Development processes are underway for the Ruby Grant Park public art installation.

Of the NFPAF, at least 90% shall be allocated to: art selection, artist fees, fabrication, installation, and maintenance. The remaining amount, up to 10% of the total NFPAF, shall be paid to NAC as an administrative fee. As projects come forward, the City will make the administrative fee available to NAC. The NAC will submit quarterly reports detailing the progress made including funds received and expended.

The Services Agreement is for an initial one year term and renews automatically for subsequent one year terms so long as NORMAN FORWARD revenues remain for the purchase and installation of public art.

The Central Library art piece, "*Unbound*" was dedicated on July 25, 2019, and the project design and construction is now complete.

DISCUSSION: The proposed final payment contract (K-1718-137) will allow for final acceptance and closeout of the Central Library Public Art project. Additional funds were needed for final payment due to costs associated with international fund transfers. These costs were not anticipated during the initial contract negotiations and were handled through an administrative change order in the amount of \$579. The needed funding for the final contract amount was noted by staff during final invoicing and equates to a change of .005% of the total contract amount.

Funding for the Change Order and final payment is available in NORMAN FORWARD funding from the Public Art, Construction account (051-9500-452.61-01; project NFP100).

RECOMMENDATION: Staff recommends approval of Change Order No. One and final acceptance and payment in the amount of \$114,079 for Contract K-1718-137 with Paul Cocksedge Studios.

