

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 APR 10 PM 4:42

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Cultural Arts & Marketing Division
DATE: April 22, 2008

RE: **Resolution Authorizing the City Administrator to Negotiate and Execute a Professional Services Agreement with Russell Albans dba Eesuu Orundide for Public Art Design, Fabrication and Installation Services for Raimondi Park and Sports Fields in an Amount Not to Exceed Forty-Five Thousand Dollars (\$45,000)**

SUMMARY

This is a resolution authorizing the City Administrator to negotiate and execute a professional services agreement with artist Russell Albans dba Eesuu Orundide to create a public art project for the renovated Raimondi Park and Sports Fields. The proposed artwork will enhance the renovated park for all users. The maximum contract amount is not to exceed \$45,000.

In response to a Request for Qualifications distributed to Oakland artists, the City received nine applications for this public art project opportunity. On April 24, 2007, three finalists were selected for interview. On July 10, 2007, the three top-rated finalists made detailed presentations on their qualifications, interest and approach to a ten-member panel convened by the City. Based on these interviews and presentations, West Oakland artist Russell Albans dba Eesuu Orundide was selected as most qualified to complete this project.

FISCAL IMPACT

This professional services agreement will not exceed \$45,000 for design, fabrication, and installation of the completed art project. Public art projects are funded through the City of Oakland's Percent for Art Ordinance (No. 11086 C.M.S.) and the Oakland Redevelopment Agency Resolution (No. 89-8 C.M.S.), which authorize the allocation of 1.5% of capital improvement project costs for the commissioning of public artwork. Funding for the Raimondi Park artwork project totaling \$45,000 is available through a combination of City of Oakland and Oakland Redevelopment Agency percent for art funds: \$32,500 will be allocated from the Municipal Improvement Capital Fund (5505), Public Art Organization (62511), Raimondi Park Public Art Project (C245530); and \$12,500 will be allocated from the Oakland Redevelopment Agency Projects Fund (7780), Capital Projects – Project Management Organization (92270), Raimondi Park Phase I Project (P233620). Future maintenance costs will be minimal. Any extraordinary maintenance requirements that may arise will be managed by the Public Art Program from its art maintenance fund account.

Item: _____
Life Enrichment Committee
April 22, 2008

BACKGROUND

Raimondi Park occupies a field approximately four city blocks square in West Oakland between Campbell and Wood Streets, 18th and 20th Streets. Park improvements in Phase One include sports field improvements, fencing, lighting, entry plaza paving and some community park elements. Additional community amenities will be implemented in Phase Two. In conjunction with the Phase One improvements, the selected artist will consult and collaborate with the project architects, project managers from the Public Art Program and Community & Economic Development Agency (CEDA) / Public Works Project Delivery, and representatives of Friends of Oakland Parks & Recreation, Friends of West Oakland Parks, and the community to develop artwork or architectural enhancements which engage community members and visitors alike.

Selection Process:

The Public Art Program released a Request for Qualifications (RFQ) within Oakland seeking a qualified artist to create site-specific work for the renovated Raimondi Park and Sports Fields in West Oakland. Public Art staff prepared objective selection criteria for use by the selection panel in rating the qualifications of applicants.

Voting members of the selection panel were regional arts professional Amy Stimmel, Public Art Coordinator, Alameda County Arts Commission; Macheo Payne, Ex-Deputy Director, Youth UpRising (also a West Oakland resident); and community representatives Jumoke Hinton Hodge and Marilyn Reynolds. Chairing the meeting (a non-voting function) was City of Oakland Public Art Advisory Committee (PAAC) member and West Oakland resident Deborah Lozier. Other non-voting advisors to the panel were Edith Landrith-Robertson, CEDA / Public Works Project Delivery; Kathryn Raymond, Executive Director, Friends of Oakland Parks & Recreation; Frederick Morris, Parks & Recreation Field-Use Coordinator, and Public Art Program staffers Steven Huss and Kristen Zarembo.

The selection panel met in a two-phase process. The first phase included selection of three finalists from the eligible application pool of nine. On June 6, 2007, finalists attended a site visit and orientation meeting with the Friends of Oakland Parks & Recreation and City staff to be introduced to all aspects of the project in preparation for the finalist interviews. On July 10, 2007, the selection panel met for the phase-two panel to interview the three finalists, and reached the above recommendation.

On August 6, 2007, the PAAC unanimously voted to accept the recommendation of the selection panel and approve the commission of artist Russell Albans dba Eesuu Orundide for the Raimondi Park Public Art Project. On August 27, 2007, the recommendation was presented to the Cultural Affairs Commission as an informational item only (due to a lack of a quorum); however, Commissioners present strongly supported the selection of Mr. Albans.

If approved by City Council, the artist will continue to consult and collaborate closely with the project architects Verde Design Group, CEDA / Public Works and Oakland Redevelopment

Item: _____
Life Enrichment Committee
April 22, 2008

project managers, Oakland Parks & Recreation and Friends of Oakland Parks & Recreation staff, Public Art Program staff, local community representatives and other project stakeholders in the development of public artwork(s) for this project. City staff will make certain that Mr. Orundide is in compliance with City policies before a Professional Service Agreement is executed.

KEY ISSUES AND IMPACTS

On August 6, 2007, the PAAC approved the panel's recommendation, with directions to the artist to proceed with preliminary design development. On November 15, 2007, City staff held a community meeting at the West Oakland Senior Center to discuss the artist's preliminary design concepts with community, park users and key City staff. On February 4, 2008, the artist presented his revised design to the PAAC for design review. The PAAC endorsed the design and the artist has been instructed to work with City staff, design team and community representatives on further refinements prior to fabrication.

Materials used for all artwork at Raimondi Park will be durable, resistant to vandalism, and appropriate for heavy public use. Integrated designs will be developed to require minimal or no maintenance beyond routine cleaning. Any extraordinary maintenance requirements that may arise will be managed by the Public Art Program from its art maintenance fund account.

PROJECT DESCRIPTION

During preliminary design development, the artist has developed a proposal for a single bronze sculpture evoking the spirit of the human body in motion, to be sited at ground level in the public entry plaza adjacent to the 18th Street entrance of the park, in an area that will be frequented by all park and sports field visitors. The artist is recommending the use of bronze to create an elegant, significant and durable work that can withstand frequent human interaction in this high-activity area. (See Schedule A: Scope of Services).

SUSTAINABLE OPPORTUNITIES

Economic: The public artwork integrated into this renovated West Oakland park will enhance and enrich the visual environment and public use of the facility, thereby strengthening the economic value of the community. The artist, Russell Albans dba Eesuu Orundide, is a West Oakland resident who will endeavor to hire Oakland artisans and fabricators for any work he cannot personally execute on this project, to the extent that it is reasonably feasible.

Environmental: The artwork will have no adverse impact on the park or surrounding community. Risk of vandalism to the work is very limited, as the artist will be required to fabricate all the elements out of materials suitable for exterior environments, without surfaces, edges or protrusions subject to vandalism.

Social Equity: The public artwork designed for this open space will enhance the aesthetic aspects of the renovated Raimondi Park and Sports Fields, adding to the quality of life for residents of and visitors to Oakland; particularly East Bay regional youth sports leagues, students at the nearby schools who use the fields for practice and residents in the surrounding community.

Item: _____
Life Enrichment Committee
April 22, 2008

The artist's designs will reflect the identity, character and usage of this West Oakland park and bolster community pride in the City.

DISABILITY AND SENIOR CITIZEN ACCESS

The public art will be accessible and visible to viewers from many vantage points. The artwork will be ADA compliant, and will not create a tripping hazard for senior citizen access.

RECOMMENDATION

The Public Art Advisory Committee recommends that City Council authorize the City Administrator to negotiate and execute a professional services agreement with Russell Albans dba Eesuu Orundide for public art design, fabrication and installation services for the Raimondi Park and Sports Fields, in an amount not to exceed forty-five thousand dollars (\$45,000).

ACTION REQUESTED OF THE CITY COUNCIL

That Council approves the resolution authorizing the City Administrator to negotiate and execute a professional services agreement with Russell Albans dba Eesuu Orundide for public art design, fabrication and installation services for the Raimondi Park and Sports Fields, in an amount not to exceed forty-five thousand dollars (\$45,000).

Respectfully submitted,



Samee Roberts, Manager
Cultural Arts & Marketing Division

Report prepared by: Steven Huss, Acting Cultural Arts Programs Coordinator

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



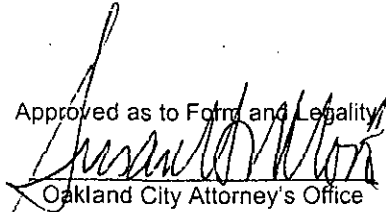
OFFICE OF THE CITY ADMINISTRATOR

Item: _____
Life Enrichment Committee
April 22, 2008

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 APR 10 PM 4:42

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RUSSELL ALBANS DBA EESUU ORUNDIDE FOR PUBLIC ART DESIGN, FABRICATION AND INSTALLATION SERVICES FOR RAIMONDI PARK AND SPORTS FIELDS IN AN AMOUNT NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS (\$45,000).

WHEREAS, the City of Oakland Raimondi Park Phase I project will include renovations and improvements to the sports fields and community open spaces in Raimondi Park in West Oakland; and

WHEREAS, professional artistic design services are needed to develop a public art component for the project; and

WHEREAS, an extensive outreach effort to solicit qualified artist candidates resulted in responses from nine Oakland artists; and

WHEREAS, in February 1989, the City of Oakland adopted a Public Art Ordinance (no. 11086 C.M.S.) and an Oakland Redevelopment Agency Resolution (No. 89-8 C.M.S.) authorizing the allocation of 1.5% of City capital improvement project costs for the commissioning of public artwork; and

WHEREAS, it is the intent of the Public Art Ordinance and the Oakland Redevelopment Agency Resolution to provide a means for the City to commission artists to create artwork that enlivens, enhances, and enriches the visual environment of the City of Oakland; and

WHEREAS, on April 24, 2007 and July 10, 2007, a ten-member selection panel consisting of community members, artists, arts professionals and project representatives met to select and approve an artist or artist team to create a public art project for the Raimondi Park Project, and unanimously recommended artist Russell Albans dba Eesuu Orundide; and

WHEREAS, on August 6, 2007, the Public Art Advisory Committee voted to accept the recommendation of the selection panel and approve the commission of artist Russell Albans dba Eesuu Orundide for the Raimondi Park Public Art Project, and on August 27, 2007, the recommendation was presented to the Cultural Affairs Commission as an informational item; and

WHEREAS, the City of Oakland finds that this contract is professional in nature and will not result in a loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, funding for the total artwork project budget of \$45,000 is available through a combination of City of Oakland and Oakland Redevelopment Agency percent for art funds: now, therefore, be it

RESOLVED, that the City Council hereby authorizes the City Administrator to negotiate and execute a professional services agreement with Russell Albans dba Eesuu Orundide in an amount not to exceed forty-five thousand dollars (\$45,000) from Oakland Public Art Program and Oakland Redevelopment Agency funding; and be it

FURTHER RESOLOVED, that \$32,500 will be allocated from the Municipal Improvement Capital Fund (5505), Public Art Organization (62511), Raimondi Park Public Art Project (C245530); and \$12,500 will be allocated from the Oakland Redevelopment Agency Projects Fund (7780), Capital Projects – Project Management Organization (92270), Raimondi Park Phase I Project (P233620); and be it

FURTHER RESOLVED, that the City Administrator is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED, the agreement will be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2008

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California

SCOPE OF WORK/OUTLINE OF SERVICES TO BE PERFORMED

I. PROJECT DESCRIPTION, LOCATION OF ARTWORK & TASKS

Description:

Contractor shall finalize artwork design concepts for the Raimondi Park Public Art Project. Contractor shall also fabricate and install unique public art elements as are approved by the Public Art Project Manager. Final artwork designs will be reviewed by City staff, the Public Art Advisory Committee, and other project stakeholders before approval is made in writing by the Public Art Project Manager.

Location:

The Artwork will be located within the project area at Raimondi Sports Park, located between Campbell and Wood Streets, between 18th and 20th Streets, in West Oakland.

Task 1: Off-Site Elements –Contractor shall:

- Meet on an as-needed basis with the design team, community representatives and City staff to finalize integrative artwork designs and budget for the project.
- Develop scale drawings of proposed artwork and obtain engineering review, if required.
- Meet with community groups and project stakeholders as directed by Public Art Project Manager.
- Purchase materials for all proposed artwork components.
- Fabricate or cause to be fabricated all artwork elements not integrated in the general contractor's scope of work.
- Prepare all materials with protective and anti-graffiti coatings as needed.

Task 2: On-Site Elements –Contractor shall:

- Coordinate final artwork delivery and installation schedule with Public Art and Public Works Agency staff prior to transportation.
- Transport artwork elements to site.
- Prepare the site for installation.
- Oversee installation of all artwork elements.
- Inspect artworks for any damage occurring during transport and installation and repair or touch up as needed.
- Document all artworks as specified below.

Task 3: Supplemental Materials

To be delivered to Public Art Project Manager Prior to Final Payment:

- A manual for the City's public art collection management program which includes materials specifications and describes routine maintenance needs, recommendations for care of the artwork elements, and other considerations for upkeep of the project.
- A series of high-resolution digital photographic images of the completed public art project in situ, including a minimum of two different images per specific element and two views of the overall project.
- A brief (one to two pages) narrative description of the public art project, including the Contractor's themes and concepts and other information that will enhance public enjoyment and understanding of the project and the artist's work, and for possible incorporation into explanatory signage to be installed at the site.

II. SCHEDULE OF PERFORMANCE

Contractor shall perform work according to the following schedule. Contractor shall not commence Contractor's Services until this Agreement is fully executed and City issues a notice to commence work.

	<i>Date</i>
Final Design Development:	May 15 – June 5, 2008
Fabrication of Off-Site Elements:	June 6 – October 15, 2008
Completion of Installation:	October 30, 2008
Final Contract Completion:	December 30, 2008

The parties agree that the schedule of performance set forth above may, by mutual agreement, be modified in writing without the necessity of a formal amendment to this Agreement.

The schedule for payment will occur in accordance with the milestones set forth below. In the event that City accepts the Artwork, one or more payments set forth in **the Schedule of Payment** may occur following the completion date for the Artwork as set forth above or as may be modified in writing by the parties.

III. COMPENSATION

1. Fee. Contractor's fee for design, fabrication and installation of Artwork, including all expenses relating thereto, shall not exceed the sum of forty-five thousand dollars (**\$45,000**). This fee includes but is not limited to the following costs: Labor of assistants; materials, communication and other indirect costs; travel expenses of the Contractor for site visits and supervision of work; and fabrication, installation, and transportation costs.
2. Interim Payments. City agrees to pay Contractor in installments as set forth in the schedule below and in accordance with the terms of Section 23 of this Agreement.

3. Payment Schedule.

First payment, upon execution of this Agreement, for continuing design development (10%):	\$4,500
2 nd payment, at commencement of fabrication phase, upon evidence of purchase or commitment to purchase materials (50%):	\$22,500
3 rd payment, at completion of fabrication phase, following progress review and approval by Public Art Project Manager (30%):	\$13,500
4 th payment, upon City's issuance of the Notice of Acceptance, plus thirty (30) days (10%):	\$4,500

4. Reimbursables. City will not make any additional payment for Contractor's expenses.
5. Notwithstanding the foregoing, Contractor expressly acknowledges that approval of work to permit an interim payment is solely for the benefit of Contractor. Unless and until the City issues a Notice of Acceptance for the Artwork, no interim approval shall constitute acceptance or approval of the Artwork by City nor shall it be construed as a waiver of City's right to require that the Artwork conform strictly to the Final Proposal and to the Plans.
6. Pursuant to California Revenue and Taxation Code Section 6365, the Artwork is exempt from sales taxes imposed under the California Revenue and Taxation Code.