



Office of the City Manager

CONSENT CALENDAR

November 28, 2006

To: Honorable Mayor and
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Michael Caplan, Acting Manager, Economic Development

Subject: Contract: Design and Construction of the Corporation Yard Gates

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract with Berkeley artist Eric Powell to design and construct two new gates for the Corporation Yard in an amount not to exceed \$69,000 for the period of December 1, 2006 through December 31, 2007.

FISCAL IMPACTS OF RECOMMENDATION

The funding for this project is from the Public Art Fund budget code 657-8704-485-3038. These funds come from the 1.5% for Art Resolution (Resolution 60,048-N.S.) adopted by Council in 1999.

CURRENT SITUATION AND ITS EFFECTS

At its September 27, 2006 meeting the Civic Arts Commission adopted the recommendation of the Public Art Selection Panel to award the contract to design and construct two gates for the Corporation Yard to Eric Powell, a Berkeley artist.

BACKGROUND

A Call for Artists was sent out to approximately 1,000 artists from the Civic Arts data list. Copies were also distributed to the Berkeley Public Library and members of the Civic Arts Commission. The Call for Artists, site photos and information were posted to the City of Berkeley Civic Arts web page and the Northern California Public Art Network for distribution to the members. A public notice was published in Art Week, a professional visual art news magazine.

The Selection Panel consisted of: two members from the surrounding neighborhood, an architect from Public Works, the City Disability Coordinator, an outside metal art expert, a staff person from the Corporation Yard and a member of the Civic Arts Commission. The first meeting was held at the North Berkeley Senior Center on June 29, 2006, as an open posted meeting. The Selection Panel viewed the work of seventeen artist applicants and chose three finalists. Specially built models provided by the finalists were displayed in the Martin Luther King Civic Center Building from August 28 to September 8, 2006. The public was encouraged to write down their comments that were then given to the Selection Panel members. A second meeting was held at the Corporation Yard on September 12, 2006 where the Selection Panel interviewed

three finalists and viewed their models on-site. At that meeting the Panel chose to award the commission to Eric Powell.

RATIONALE FOR RECOMMENDATION

The selection process was carried out in accordance with the 1985 Visual Art Ordinance. The Civic Arts Commission voted to accept the recommendation of the Selection Panel at an open and posted meeting. The recommendation to award the commission to Eric Powell was made in accordance with City policy. This Public Art project was listed in the June 13, 2006 Annual Work Plan of the Civic Arts Commission which was approved by the City Council.

ALTERNATIVE ACTIONS CONSIDERED

None were considered.

CONTACT PERSON

Mary Ann Merker, Civic Arts Coordinator, Office of Economic Development, 981-7533

Attachments:

1: Resolution

Exhibit A: Scope of Service

Exhibit B: Payment Schedule

RESOLUTION NO. -N.S.

CONTRACT TO DESIGN AND CONSTRUCTION OF THE CORPORATION YARD GATES

WHEREAS, Civic Arts staff and the Civic Arts Commission duly carried out the necessary steps to write and advertise the Call for Artists for the Corporation Yard Gates in accordance with the 1985 Visual Art Ordinance; and

WHEREAS, the Selection Panel through an open process selected Eric Powell as the winner; and

WHEREAS, the Civic Arts Commission unanimously approved the decision of the Selection Panel at the September 20, 2006 monthly meeting; and

WHEREAS, funds are available in the 1999 1.5% for Art Resolution (budget code 657-8704-485-3038).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments not to exceed \$ 69,000.00 with the artist to design and construct two gates for the Corporation Yard as stated in Exhibit A, Scope of Work, and Exhibit B, Schedule of Payments.



EXHIBIT A

SCOPE OF WORK

Term of Contract: December 1, 2006 – December 31, 2007

Phase One: Working Drawings, Measurements, and Materials

Taking final measurements and assessment of the existing gates (for both sets of double gates on Bancroft Street).

Generate full-scale working drawings for the gates.

Purchasing materials (steel, hardware and finishes) for the gates. The frames for the gates are made from recycled steel pipe. The frames from the existing gates will not be used for the new gates. One of the reasons for this is that the pipe is galvanized. This is very toxic to work with. This will also allow for the existing gates to be removed and the new gates installed within the shortest amount of time possible.

Note: All work will be fabricated in the artist's studio. He will use his own tools for installation and will transport the new gates to the Corporation Yard site for installation. He will remove the existing gates and take them to Urban Ore in Berkeley for recycling unless otherwise requested.

Note: There will be no place on the gates where a four-inch sphere can enter through.

Note: Both gates are to be installed on Bancroft Street in Berkeley, at the two entrances to the Corporation Yard.

Phase Two: Fabrication

Time Frame: Eight weeks. Completion of Phase Two: Mid-February

Building the gates (four panels): First the outer frames are made; then the inner framework is constructed. This includes the inner and outer center rings, the water forms, the plowed field forms, and the railroad track forms. These are all made of steel pipe. The inner forms are forge-bent.

The leaf and grass shapes are then cut (torch-cut and/or plasma-cut) and finished with hand grinders and sanders. Each sheet is cut to fit into each opening as shown in the drawing; the sheets are welded into place (a separate template is first made for each of the sheets/openings). All connections are finished and are made smooth to the touch with grinding, die grinding, sanding and electric wire brushing.

The hardware is chosen and fabricated as needed. This includes hinges, rollers, tracks, latches, locks, cane bolts and any other mechanical parts. These are integrated into the new gates.

Phase Three: Finishes

Time Frame: One week. Completion of Phase Three: Third week of February

Surface Finishing: A heat-patina is applied to all surfaces. There is a range of earth colors in the steel. A clear epoxy coating is applied as the final coat.

Phase Four (final phase): Installation

Time Frame: One week. Completion of Phase Four: End of February

Installation: This includes attaching hinges and rollers. It also includes drilling into the concrete and sinking sleeves for the cane bolts. The gates are installed and checked for full functionality.

Note on completion time: The total estimated time frame for completion and installation of the project is scheduled for eleven weeks. Though I have marked it to begin mid-December 2006, it may begin at a later date, pending agreement with all involved. I understand that there will be an 'opening' event in May; I will ensure that the gates are installed before this event.

EXHIBIT B

SCHEDULE OF PAYMENTS

Contract amount not to exceed \$69,000.00

This amount includes the original amount of \$64,000.00, plus \$5,000.00. The additional \$5,000.00 is requested to cover the added 'arch' to the tops of the gate (labor costs and materials) as well as additional reinforcement to the gates that will be required to accommodate for the increased weight (compared to the existing gates). The existing hardware will be used whenever possible. However some or all of the hardware will need to be upgraded to accommodate the added weight. Also in order to minimize the weight, reinforcement bars are needed along the back of the gates.

First Payment December 2006	\$13,800.00 (20%)	Upon signing contract
Second Payment January/February 2006	\$20,700.00 (30%)	Upon completion of Phase One and part of Phase Two: Completion of all four gate frames and all internal framework.
Third Payment February/March 2006	\$24,150.00 (35%)	Upon completion of both sets of gates.
Fourth Payment February/March 2006	\$6,900.00 (10%)	Upon completion of installation.
Fifth Payment February/March 2006	<u>\$3,450.00 (5%)</u>	Upon final acceptance of project by City.
Total Contract Amount:	\$69,000.00	

INVOICES:

Invoices must provide sufficient information for approving payment and audit. Invoices must be accompanied by receipt for services in order for payment to be processed. Invoices shall reference contract number and project title and shall be mailed to the Project Manager.

Mary Ann Merker, Civic Arts Coordinator
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