




Office of the City Manager

CONSENT CALENDAR  
December 12, 2006

To: Honorable Mayor and  
Members of the City Council

From:  Philip Kamlarz, City Manager

Submitted by: Michael Caplan, Acting Manager of Economic Development

Subject: Contract: Turtle Island Monument Artwork

RECOMMENDATION

Adopt a Resolution authorizing an amendment to the contract with Scott K. Parsons to increase the amount by \$3,700 for a total not to exceed amount of \$37,700 for design, development and installation of the Turtle Island Monument at the Civic Center Park Fountain.

BACKGROUND

On April 27, 2005, the Civic Arts Commission approved Scott Parsons as the artist to complete the Turtle Island Monument at the Civic Center Fountain. Mr. Parson had made his initial presentation to the Selection Committee as a finalist on February 16, 2005. At that time he was asked to reconsider the material for casting the turtles from stone to bronze. As a result of this discussion, bronze was selected as the preferred material and a revised budget was sent to the Parks and Waterfront Project Manager, on April 29, 2005. The bronze turtles would be reduced in size to 3 ft. in length.

Redesign requirements and delays in starting this project due to factors outside the artists control have resulted in increased materials costs that have affected the budget. Casting the turtles in bronze and maintaining the 3 ft. lengths will require an increase of \$1800 (\$400 for each turtle and \$200 for the mold); the cost of the stone medallions have increased from \$5000 to \$6400 (\$1,400); and there are \$500 in other projected increases. As a result, in order for Mr. Parson to proceed with the project as planned, it is necessary to increase the amount of his contract \$3,700 bringing the total contract amount to \$37,700.

At an October 23, 2006 meeting the Chair of the Public Art Committee of the Civic Arts Commission, the Director of Parks and Waterfront, the Civic Arts Coordinator, and the Public Art Intern, visited the Civic Center Fountain site. At this meeting the Commission confirmed the temporary placement of the turtles and medallions inside the first ring of the dry fountain and approved additional funds for cost of materials. The temporary placement would attach the turtles to the bottom of the existing fountain and allow them to be visible until the fountain is restored and the water is flowing. The Parks Recreation and Waterfront staff will oversee this installation as part of the restoration of the Fountain. When the Fountain is repaired and the

water is flowing the Turtles would be permanently placed on pole/pedestal bases above the water line.

The artist has been contacted and agrees to the new temporary placement and budget. The Chair of the Public Art Committee has promised to contact the Waterfront Commission, the Landmarks Commission and the Native American Community to let them know of this temporary placement. The clay model of the Turtles can be viewed on the fourth floor of 1947 Center Street.

FISCAL IMPACTS OF RECOMMENDATION

The funding for this project is included in the FY 2007 Public Art Fund budget (code 657-8704-465-3038) as part of the 1.5% for Art as adopted by Council Resolution in 1999 (Resolution No. 60,048 – N.S.).

CURRENT SITUATION AND ITS EFFECTS

The artist had been contacted and agrees to the new temporary placement and budget

RATIONALE FOR RECOMMENDATION

The \$3,700 increase in the contract is warranted to pay for the increase cost of materials for delays not in the control of the artists when the original budget was submitted

ALTERNATIVE ACTIONS CONSIDERED

No alternative action considered.

CONTACT PERSON

Mary Ann Merker, Civic Arts Coordinator, 981-7533

Attachments:

1. Resolution
2. Images of the Turtles and Their Placement in the Restored Fountain

RESOLUTION NO. ##,###-N.S.

EXECUTE AN AMENDMENT TO THE CONTRACT FOR THE DESIGN, DEVELOPMENT  
AND INSTALLATION OF THE TURTLE ISLAND MONUMENT

WHEREAS, a Call to Artists competition was advertised nationwide in the Fall of 2003 and in April 20, 2005, the Turtle Island Monument Selection Committee chose Scott Parsons as the artist and this vote was unanimously upheld by a vote on April 27, 2005 of the Civic Arts Commission; and

WHEREAS, on July 19, 2005 by Resolution No. 63,008 N.S., the City Council authorized contract No. 6979 with Scott K. Parsons for the design, development and installation of the Turtle Island Monument, in an amount not to exceed \$34,000 for the period of June 1, 2006 to June 30, 2007; and

WHEREAS, because of the delay in starting the project and the increase in the price of bronze over the last two years, and because the size to cast the turtles and maintain the 3 ft. lengths necessitates an increase of \$1800 (\$400 for each turtle and \$200 for the mold); an increase of the stone medallions from \$5000 to \$6400 (\$1,400), and \$500 in other projected increases; and

WHEREAS, funds are available to perform this work in the FY07 Public Art Fund budget code 657-8704-465-3038 and this contract amendment has been entered in the citywide contracts database, CMS number TBIDV.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to the contract with Scott K. Parsons for the design, development and installation of the Turtle Island Monument, to increase the amount by \$3,700, for a total not to exceed \$37,700 budget code 657-9701-399-9901. A record signature copy of said contract to be on file in the Office of the City Clerk.

