



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 07/11/2023

**REQUESTER:** Jason Olsen, Director of Parks and Recreation

**PRESENTER:** Jason Olsen, Director of Parks and Recreation

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-26: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TYLER FUQUA CREATIONS IN THE AMOUNT OF \$62,000 FOR THE DESIGN AND CREATION OF A SCULPTURE TO BE PLACED AT THE REAVES PARK FUNDED THROUGH THE NORMAN FORWARD PUBLIC ARTS FUND.

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### **BACKGROUND:**

The City of Norman 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 expending an amount not to exceed 1% of the aggregate construction costs of major facilities and community park 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 has 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.

Under the terms of the approved Services Agreement, Contract K-1516-132, and all amendments thereto, the NAC will be the administrator for selecting, locating, and installing public art purchased with Norman Forward sales tax funds. The NAC has administered the selection of public art through four phases: (a) Phase I: Project Development, including research into similar projects and assembly of a Project Team to evaluate the public art opportunities; (b) Phase II: Selection Process, including project announcement and advertising, "blind jury" review of the submission, and ultimate selection of and contracting with an artist; (c) Phase III Execution and Installation, including coordination with the City for permitting and approvals during fabrication and installation of the selected artwork; and (d) Phase IV: Public Engagement and Education, including design and installation appropriate markers and other means of creating public awareness and appreciation for each work of art through press releases, social media, and other appropriate channels, as well as the care and maintenance of each work of art.

Under the terms of the Services Agreement, the City of Norman has funded public art installed at or as a part of Norman Forward sales tax-funded projects up to 1% of construction costs for the Central Library, East Library, Westwood Family Aquatic Center, and Westwood Tennis, Ruby Grant Park, Andrews Park, and have planned the future installation of artwork at the Young Family Athletic Center ("YFAC"), Saxon Park, Reaves Park, Griffin Park, and the Senior Wellness Center. These costs (the "Norman Forward Public Arts Fund" or "NFPAF"), aggregated together, were initially estimated to be \$1.2 million.

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, is paid to NAC as an administrative fee. The City will make the administrative fee available to NAC as projects come forward. The NAC will submit quarterly reports detailing progress, including funds received and expended. The Services Agreement is for an initial one-year term. It renews automatically for subsequent one-year terms so long as Norman Forward revenues remain for the purchase and installation of public art.

### **DISCUSSION:**

Reaves Park, located at 2501 Jenkins Ave, has reached the point where an artist has been selected, and a final contract with the chosen Artist is proposed for City Council consideration.

The Selection Panel Advisory Board and the Norman Arts Council Board began the artist selection process; the Board recommended the retention of artist Tyler FuQua of Tyler FuQua Creations to build and install a robot sculpture at the site.

The Artist is responsible for the sculpture, the delivery, installation, and securing of the work in a foundation/footer designed by a licensed engineer. At the same time, the City will be responsible for the concrete decking and any associated landscaping.

The sculpture is proposed to be completed and installed by October 31, 2023. In addition, before implementing any changes to the sculpture, the Artist must obtain approval from the City of Norman. The total cost of this contract is \$62,000, \$25,000 of which is payable upon delivery of the signed contract and issuance of an Artist's invoice, \$18,500 of which is due upon substantial completion of the robot sculpture, and the final \$18,500 is due upon final acceptance of the work by the City.

Final acceptance will be determined solely by the City of Norman. The City of Norman retains the right to subsequently remove the work if it presents a safety hazard or cannot be reasonably restored to its original structural or aesthetic integrity.

Norman Forward Public Arts Project, Construction (account 51795500-46101; project NFP100) has adequate funds available to cover the award of this contract.

### **RECOMMENDATION:**

Based upon the foregoing, City Staff recommends that Council approve Contract K-2324-26 with Tyler FuQua Creations for the fabrication and installation of artwork at Reaves Park.