

Item - 103
12/5/17
(R-2018-181)

RESOLUTION NUMBER R- **311437**

DATE OF FINAL PASSAGE **DEC 08 2017**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE AGREEMENT WITH ADAM FRANK, INC. FOR THE PRESIDIO PUBLIC ART PROJECT, CONTRACT NUMBER H176944; AND AUTHORIZING FUNDING THEREFORE.

WHEREAS, the City's Commission for Arts and Culture (Commission) through its Public Art Program, promotes artistic development and transforms the built environment of San Diego's public buildings and spaces through the inclusion of public art that enriches the everyday lives of the City's residents, visitors, and employees; and

WHEREAS, the City desires to commission an artist to create a permanent or semi-permanent new media artwork for the Presidio Park Public Art Project (Project) at San Diego's Presidio Park; and

WHEREAS, the Project will bring contemporary art to this important park setting and provide new ways of experiencing and connecting with one of the most significant historical sites on the west coast; and

WHEREAS, on June 22, 2017, the City issued a Request for Qualifications for the Presidio Public Art Project on PlanetBids, the San Diego Daily Transcript, the Americans for the Arts Public Art Network listserv, and numerous digital artwork opportunity posting boards, to notify public artists across the nation about the opportunity; and

WHEREAS, the Request for Qualifications process narrowed the field of eligible artists to three, who were each interviewed by the Commission; and

WHEREAS, Adam Frank DBA Adam Frank Incorporated, was selected to enter into contract negotiations for the Presidio Public Art Project to work with the City, including public

input opportunities, to design, fabricate, and transport artwork for the unique context of Presidio Park, and to consult with the City during installation of the artwork; and


WHEREAS, the Commission and Adam Frank Incorporated negotiated a contract, contract number H176944 (Agreement), for the Presidio Public Art Project with a scope of services encompassing the design, fabrication, and transportation of artwork for the Project, with opportunities for City approvals and public input throughout the Project, and consultation with the City during the City's installation of the artwork, for an amount not to exceed \$525,000, for a term ending upon completion of the scope of services, or August 21, 2022, whichever is earlier, but not to exceed five years unless approved by City ordinance; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute, for and on behalf of the City, the Agreement with Adam Frank Incorporated to provide artist consulting services for creation of an original, site-specific public artwork for the Presidio Public Art Project, for an amount not to exceed \$525,000, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. RR- **311437**.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$525,000 from Public Art Fund, Fund 200002, for the purpose of funding the Agreement, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MARA W. ELLIOTT, City Attorney

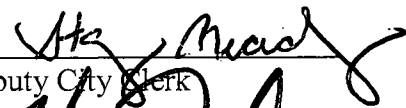
By 

Jon D. Dwyer
Deputy City Attorney

JDD:cw
11/14/17
Or.Dept: Commission for Arts and Culture
CC No.: 3000010463
Doc. No.: 1625451

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of DEC 05 2017.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 12/18/17
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

DEPT. NO.: 3000010463
8913

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____ \$525,000.00

Vendor: Adam Frank DBA Adam Frank Incorporated

Purpose: Provide artist consulting services for the Presidio Public Art Project

Date: October 27, 2017 By: Jonathan Naple
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	200002	21004181	21004181	OTHR-00000000-CL	512002	9913	9913000011		\$525,000.00
TOTAL AMOUNT									\$525,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on DEC 05 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 08 2017

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Hy Meady*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311437