

**MOTION NO. M2015-96**
**Contract Amendment for Artist Services for the D – M Street Tacoma Gateway Project**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>
Capital Committee	10/08/2015	Final Action	Ahmad Fazel, DECM Executive Director <b>Barbara Luecke, Art Program Manager</b>

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a contract amendment with Sean Orlando (dba Engineered Artworks) to provide artwork fabrication and installation services for the Tacoma Gateway D – M Street Sounder Project in the amount of \$215,000 with a 10% contingency of \$21,500 totaling \$236,500, for a new total authorized contract amount not to exceed \$255,000.

**KEY FEATURES SUMMARY**

- This action provides for the fabrication and installation of an approved art design as part of a multi-phased contract.
- The artist will fabricate and install the “Gertie’s Ghost” artwork at the Tacoma Gateway site at the northwest corner of the Pacific Avenue and South Tacoma Way intersection.
- Artwork “Gertie’s Ghost” is a collection of curved and tapered Cor-ten steel truss forms arranged in a cluster to resemble an octopus.
- Artwork in this contract is the result of collaboration between the artist, Sound Transit designers, City of Tacoma, and the surrounding neighborhoods (Dome District, Brewery, and Downtown Tacoma).
- If this action is approved, future funding amendments are not anticipated for this contract.

**BACKGROUND**

The D Street-to-M Street Track and Signal Project will construct a rail connection between the existing Tacoma Dome Station and Sound Transit’s Lakeview Subdivision railroad line. The project includes 1.4 miles of track work between East D and South M Streets, a rail bridge over Pacific Avenue, roadway reconstruction, utility relocation, and installation of a centralized traffic control system over the entire Lakewood to Tacoma segment.

In 2010, the Sound Transit Board approved Resolution No. R2010-21, which established an *STart* budget for ST2 projects at 1% of capital construction costs, excluding the cost of tunneling, and maintained an *STart* budget for Sound Move projects at 1% of capital construction costs, excluding the cost of tunneling. *STart* sets aside 10% of its budget to fund maintenance on the permanent art collection.

Sean Orlando was selected through a competitive artist selection process in 2013 by a committee comprised of representatives from Tacoma communities: Dome District, Brewery, and Downtown Tacoma neighborhoods. The selection method used in awarding this art commission is consistent with artist selection practices in use by the *STart* Program and recognized as best practices in the public art field.

“The overall design of ‘Gertie’s Ghost’ is inspired by the mythical 600-pound octopus that theoretically lives in the submerged ruins of the Tacoma Narrows Bridge. Eight Octopus

tentacles will rise out of the ground; an abstract representation of the ‘Ghost of Galloping Gertie’ climbing straight out of the City’s historical roots and into the future.” –Sean Orlando

**FISCAL INFORMATION**

This action is within the Adopted Budget and sufficient funds remain after approval of this action to fund the remaining work in the Pierce County as contained in the current cost estimates.

The 2015 Lifetime Adopted Budget for STart project is \$49,267,267. Within that amount, \$3,547,243 has been set aside for the Pierce County Subarea. Out of that amount \$1,516,533 has been committed for the Pierce County Subarea.

The proposed action would commit additional \$236,500 to Engineered Artworks LLC contract to the revised total of \$255,000, to provide artwork fabrication and installation services for the Tacoma Gateway D – M Street Sounder project leaving the remaining uncommitted budget of \$1,794,210 in the Pierce County Subarea.

**STart**

Subarea	2015 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Snohomish	4,828	752	0	752	4,076
North King	11,529	6,904	0	6,904	4,625
South King	9,312	3,917	0	3,917	5,395
East King	20,052	2,837	0	2,837	17,215
Pierce	3,547	1,517	237	1,753	1,794
<b>Total Current Budget</b>	<b>49,267</b>	<b>15,926</b>	<b>237</b>	<b>16,162</b>	<b>33,105</b>

**Subarea Details - Pierce County**

Pierce County- Sounder	8,240	2,573	237	2,809	5,431
Pierce County- Other	1,071	1,344	0	1,344	(272)
<b>Total Subarea</b>	<b>9,312</b>	<b>3,917</b>	<b>237</b>	<b>4,153</b>	<b>5,158</b>

**Engineered Artworks LLC Contract Details**

Contract Details	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	19	19	215	234
Contingency	0	0	22	22
<b>Total Contract Amount</b>	<b>19</b>	<b>19</b>	<b>237</b>	<b>255</b>
Percent Contingency	0%	0%	10%	9%

**Notes:**

- Amounts are expressed in Year of Expenditure \$000s.
- Board Approvals to Date includes amounts through August 31, 2015 plus any pending Board Actions.
- Project Budget is located on page 95 of the 2015 Transit Improvement Plan (TIP).
- Board Approvals = Committed to-date + Contingency.

**SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION**

Sean Orlando, dba Engineered Artworks, is a small business enterprise.

**PUBLIC INVOLVEMENT**

The Tacoma community was invited to a series of public open houses with Sean Orlando, which led to the “Gertie’s Ghost” design that was presented in briefings to City of Tacoma staff, and then

to the selection panel and the Tacoma Arts Commission for approval. Citizen and staff representatives from the City of Tacoma were involved in the artist selection.

**TIME CONSTRAINTS**

A delay on this action could cause the artwork to fall behind schedule causing budget shortfalls.

**PRIOR BOARD/COMMITTEE ACTIONS**

Resolution No. R2010-21: Adopted an art policy and superseded Resolution No. 98-1.

**ENVIRONMENTAL REVIEW**

Jl 9/15/2015

**LEGAL REVIEW**

LA 2 October 2015

**MOTION NO. M2015-96**

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract amendment with Sean Orlando (dba Engineered Artworks) to provide artwork fabrication and installation services for the Tacoma Gateway D – M Street Sounder Project in the amount of \$215,000 with a 10% contingency of \$21,500 totaling \$236,500, for a new total authorized contract amount not to exceed \$255,000.

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The artist will fabricate and install the "Gertie's Ghost" artwork at the Tacoma Gateway site at the northwest corner of the Pacific Avenue and South Tacoma Way intersection

**MOTION:**

It is hereby moved by the Capital Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract amendment with Sean Orlando (dba Engineered Artworks) to provide artwork fabrication and installation services for the Tacoma Gateway D – M Street Sounder Project in the amount of \$215,000 with a 10% contingency of \$21,500 totaling \$236,500, for a new total authorized contract amount not to exceed \$255,000.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 8, 2015.

  
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Fred Butler  
Capital Committee Chair

ATTEST:

  
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Kathryn Flores  
Board Administrator