

RESOLUTION NO. RES-2021-208

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA WAIVING COMPETITIVE BIDDING, APPROVING THE ALLOCATION AND APPROPRIATION OF PG&E SETTLEMENT FUNDS IN THE AMOUNT OF \$300,000 FOR RUTH ASAWA ART PANELS; AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH ARTWORKS FOUNDRY LLC IN AN AMOUNT NOT-TO-EXCEED \$300,000 FOR BRONZE CASTING AND ATTACHMENT OF ART PANELS

WHEREAS, the City's Public Art Program has been working to restore and install the original Ruth Asawa art panels onto a new fountain in Old Courthouse Square; and

WHEREAS, due to considerable deterioration of the material of the original panels and related repair and maintenance costs, the Art in Public Places Committee approved casting the original panels in bronze and installing the bronze casts on the new fountain; and

WHEREAS, adequate funding to restore the art panels to a new fountain was not included in the original Old Courthouse Square Reunification budget, and use of PG&E settlement funds for this purpose was identified through City Council study sessions related to this one-time funding source; and

WHEREAS, Artworks Foundry LLC is the firm that was selected to provide the casting and installation services for which the PG&E settlement funds in an amount of \$300,000 will be applied via a Professional Services Agreement with any remaining funds reserved by the City as project contingency; and

WHEREAS, Section 3-08.100(D) of the City Code provides that purchases of supplies, material, equipment and services may be made without recourse to competitive bidding requirements where the source of supply, necessary restrictions in specifications, necessary standardization, quality considerations, or other valid reasons for waiving competition appears; and

WHEREAS, Section 4.1.2 of Council Policy 600-01 (Selection of Professional Services) also provides that Council may waive its RFP procedures if waiver is in the best interests of the City; and

WHEREAS, Council is the award authority for a purchase with a not-to-exceed amount up to \$300,000 and must approve the waiver of competitive bidding; and

WHEREAS, Artworks Foundry, LLC is uniquely qualified to provide the necessary services, as one the nation's leading foundries for the production and restoration of bronze sculptures, reliefs and monuments. They are the only full-service foundry in the Bay Area that provides digital fabrication and lost-wax casting, engineering, finishing and installation.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa competitive bidding pursuant to Section 3-08.100(d) of the City Code for the work to bronze casting and attachment of the Asawa Art panels up to an amount not to exceed \$9,468,437.

BE IT FURTHER RESOLVED that the Council believes there are valid reasons for waiving competitive bidding and such a waiver is in the best interests of the City for the reasons set forth in this Resolution.

BE IT FURTHER RESOLVED that the Council approves the allocation of \$300,000 of PG&E settlement funds for the purpose of casting bronze panels of the original Ruth Asawa art panels and installing them on the new fountain being constructed in Old Courthouse Square.

BE IT FURTHER RESOLVED that the Council increase appropriations in project key 09704 - Public Art in the amount of \$300,000 , with the source of funds being the PG&E settlement funds in the general fund reserves.

BE IT FURTHER RESOLVED that the Council approve the Professional Services Agreement with Artworks Foundry LLC, in an amount not to exceed \$300,000, which includes a \$23,300 project contingency, for the bronze casting and installation of the Ruth Asawa Art Panels, in substantially the same form as Exhibit A to the resolution, subject to approval as to form by the City Attorney.

IN COUNCIL DULY PASSED this 30th day of November, 2021.

AYES: (6) Mayor N. Roger, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Tibbetts

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A – Professional Services Agreement with Artworks Foundry LLC