



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

From: Kevin Bond, AICP, LEED Green Associate, Senior Planner /
Staff Liaison to the Key West Arts in Public Places (AIPP) Board

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: November 18, 2014

RE: Authorization to award contract and expend AIPP funds for Kee statue

Action Statement: This resolution will ratify the City Manager's emergency approval of a contract for \$34,600 and authorization of initial payment of \$17,300 to American Bronze Foundry, Inc. for the manufacture and installation of the Bishop Albert Kee statue; authorizing the expenditure of funds from the Art in Public Places (AIPP) account; authorizing the necessary budget allocations; and recognizing the efforts and financial contributions of private parties to the project

Request: That the City Commission approve the proposed resolution

Background:

The Bishop Albert Kee statue project was initiated on November 5, 2003 through City Commission Resolution No. 03-372. Subsequently, City Commission Resolution No. 10-328 authorized the placement of the statue on November 16, 2010, but disallowed the use of City funds because the project was intended to be privately funded. The project then went dormant and no significant work was performed to move the project forward largely due to the restriction that only private donations could be used to fund the project.

Recently, the City Commission passed Resolution No. 14-211 on August 5, 2014 to allow the expenditure of City funds collected for the purpose of Art in Public Places (AIPP) to provide funding for the project. The change was made due in part to the City's relatively new 1% public art set-aside, which allows in-lieu fees collected to be used for public art projects throughout the City. Earlier this year, the AIPP Board recommended that the City use a portion of the in-lieu fees from the Transit Center project on College Road to help fund the Bishop Kee statue project. Additionally, Resolution No. 14-211 clearly states that the statue project takes priority over all other pending AIPP projects.

Since August, the project has gained much needed momentum, thanks in large part to the diligent efforts of Bruce Neff with Historic Markers, Inc. (HMI) on behalf of the City and the AIPP Board, as well as the monetary and in-kind donations of dozens of private individuals and businesses. As of October 20, 2014, a total of \$27,100 in private donations had been pledged and another \$3,100 of in-kind materials and services was promised. The remaining projects costs

would be paid or covered through in-kind services by the City. The total estimated budget for the statue project is \$54,460.00. Mr. Neff/HMI has already paid the sculptor, Tom Joris, \$10,000 for design and creation of the scale model of the statue and travel costs. (See attached budget and donations, as well as plans and photos.)

The statue is planned to be completed and installed at the Southernmost Point prior to the 53rd Annual Conch Shell Blowing Contest on March 7, 2015. The contest was selected as the event that is most significant to the unveiling of the Bishop Kee statue due to Kee's legacy of conch shell blowing at the Southernmost Point and greeting the tourists, families and friends as they passed by.

In order to maintain the production schedule to meet the March 7th timeframe, the City Manager invoked an emergency declaration (see attached) in order to procure the necessary first payment of \$17,300.00 (which represents 50% of the total contract amount of \$34,600.00) to the American Bronze Foundry, Inc. on November 1, 2014. If this payment was not made on time, production and installation of the statue would have been delayed past the March 7th timeframe.

Two additional bids were received for the manufacture and installation of the bronze statue:

Carolina Bronze Sculptures Inc	\$58,940.00
Modern Art Foundry	\$90,000.00

Pursuant to Section 2-797 of the City's Code of Ordinances, the Emergency Procurement procedure, the City Manager may make emergency procurements to approve contractual services where the cost exceeds \$20,000.00 when there exists a present threat to public health, property, safety, of other substantial loss to the City.

The proposed resolution would:

- A. Retroactively grant City Commission approval for the award of the \$34,600.00 contract to American Bronze Foundry, Inc. for the manufacture and installation of the statue;
- B. Authorize the expenditure of funds from the AIPP public art account to pay for various project costs pursuant to City Code and AIPP guidelines;
- C. Authorize the necessary budget allocations of AIPP funds; and
- D. Recognizing the efforts and financial contributions of private entities to the project.

Options:

Option 1: Pass the proposed resolution awarding the contract to American Bronze Foundry, Inc for the manufacture and installation of the bronze statue, authorizing the expenditure of funds from the AIPP public art account and recognizing the contributions of private entities to the project.

Option 2: Do not pass the proposed resolution.

Recommendation: Option 1.