

RESOLUTION NO. 2009-63

AUTHORIZING A CONTRACT WITH MICHAEL MURPHY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$138,000.00) FOR PUBLIC ARTWORK ASSOCIATED WITH THE STEPHANIE TUBBS JONES TRANSIT CENTER PROJECT. (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority (GCRTA) has proposed the design, fabrication and installation of an independent artwork for the Stephanie Tubbs Jones Transit Center; and

WHEREAS, the GCRTA conducted a Call to Artists competitive selection process resulting in the selection of the artwork concept submitted by Michael Murphy (ARTIST); and

WHEREAS, ARTIST will execute the management of the art contract to carry out the scope of work and construction coordination with Stephanie Tubbs Jones Transit Center required in the agreement and in accordance with the construction schedule for final art installation; and

WHEREAS, the sum of all the costs, expenses related to design, fabrication and installation and total price shall not to exceed One Hundred Thirty-Eight Thousand Dollars (\$138,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager/Secretary-Treasurer of the Authority is hereby authorized to enter into a contract with ARTIST Michael Murphy to design, fabricate and install artwork at said location at a price not to exceed One Hundred Thirty-eight Thousand Dollars (\$138,000.00).

Section 2. That said contract is payable from the RTA Development Fund, Programming and Planning Department budget, including but not limited to ARRA Capital Grant OH-96-X027 in the amount of \$138,000.00 (100% Federal funds). The contract award is based on initially using available 100% Local funds, of which \$138,000.00 will be replaced by FTA funds under the American Recovery Reinvestment Act (ARRA) of 2009.

Section 3. That said contract shall be binding upon and an obligation of the Authority contingent on all Arts-in-Transit policies and federal requirements, and if any, the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2009-023, insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 4. That this resolution shall become effective immediately upon its adoption.

Adopted: July 28, 2009



\_\_\_\_\_  
President

Attest:



\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b>  <b>CONTRACT:</b> AWARD OF A CONTRACT FOR PUBLIC ARTWORK AT THE STEPHANIE TUBBS JONES TRANSIT CENTER PROJECT  <b>VENDOR:</b> MICHAEL MURPHY (ARTIST)  <b>AMOUNT:</b> NOT TO EXCEED \$138,000.00	<b>Resolution No.:</b> 2009-63
	<b>Date:</b> July 23, 2009
	<b>Initiator:</b> Programming & Planning
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

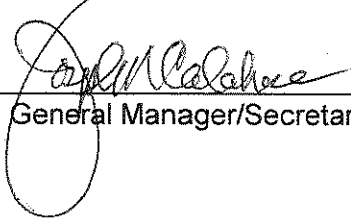
- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract with Michael Murphy for a public art installation to be located at the Stephanie Tubbs Jones Transit Center located on E. 21 and Prospect Avenue in Downtown Cleveland.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This contract will allow GCRTA to fund the design, fabrication and installation of a metal sculpture of Stephanie Tubbs Jones to be placed at the Transit Center. The sculpture will include all components required including the L.E.D. lighting, the granite base, and all other structural members and parts. The artwork's design will be coordinated through the station architect and installed by the Artist with the cooperation of the construction contractor. The artwork is part of the GCRTA Arts-in-Transit Program.
- 3.0 **PROCUREMENT BACKGROUND:** The selection of this artist included a competitive process with a Call to Artist announcement being advertised to solicit artists to submit proposals for review and evaluation by the Arts-In-Transit Selection Committee. Forty-six (46) Artists submitted proposals for consideration. The Committee selected Michael Murphy as the top submission based on the best use of space and art contribution to the area. The award amount was determined to be fair and reasonable to the Authority and commensurate with other projects of its size and scale.
- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements involving the Arts-in-Transit Program.
- 5.0 **POLICY IMPACT:** The Stephanie Tubbs Jones Transit Center project is listed in the GCRTA Long Range Plan and is part of the Capital Improvement Program, the NOACA TIP, and the State of Ohio STIP.
- 6.0 **ECONOMIC IMPACT:** This procurement will be funded from the RTA Development Fund, Programming and Planning Department budget, including but not limited to ARRA Capital Grant OH-96-X027, Line Item 11.93.04 in the amount of \$138,000.00 (100% Federal funds). The contract award is based on initially using available 100% Local funds, of which \$138,000.00 will be replaced by FTA funds under the American Recovery Reinvestment Act (ARRA) of 2009.
- 7.0 **ALTERNATIVES:** The contract to Michael Murphy could not be awarded and the art selection process redone. This would delay the project and could jeopardize the integrity of the Art's-in-Transit Committee and selection process.

- 8.0 RECOMMENDATION: The public artwork was reviewed and approved by the Board of Trustees Planning & Development Committee at their July 7, 2009 meeting and recommended to the Board for approval.

Staff recommends that the Board of Trustees approve the resolution to authorize award of this contract to Michael Murphy.

- 9.0 ATTACHMENTS: None

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

  
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer