

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AMENDMENT TO THE AGREEMENT FOR ARTIST SERVICES WITH DOUWE BLUMBERG FOR THE "FIELDS OF TIME" PUBLIC ART SPACES PROJECT, CIP PROJECT NO. 337-37244, REDUCING THE AGREEMENT COMPENSATION BY \$8,750, AND AMENDING THE SCOPE OF SERVICES TO HAVE CITY HANDLE INSTALLATION OF THE FIELDS OF TIME MONUMENT.

WHEREAS, on February 28, 2017, by Resolution No. 2017-24, City Council approved two viable locations for the Citywide Gateway Monuments "4-Corners" Project (renamed "Public Art Spaces"); and

WHEREAS, on April 17, 2019, the Arts Commission approved a recommendation to City Council for approval of two Public Art Spaces locations, artists and designs, including Douwe Blumberg's project on Brentwood Boulevard; and

WHEREAS, on April 23, 2019, by Resolution No. 2019-54, City Council approved two viable locations, artists and designs for the Public Art Spaces project; and

WHEREAS, on May 7, 2019, City Council approved the City public art location prioritization; and

WHEREAS, on May 28, 2019, by Resolution No 2019-68, City Council adopted the 2019/20 - 2023/24 Capital Improvement Program (CIP) which included the Public Arts Spaces project; and

WHEREAS, on August 13, 2019, by Resolution 2019-96, City Council approved and authorized the City Manager or Designee to execute an artist services agreement with Douwe Blumberg ("Douwe") for the Fields of Time ("FOT") Public Arts Spaces CIP #337-37244 on Brentwood Boulevard in the amount of \$175,000, plus a 10% contingency of \$17,500, for a total amount of \$192,500; and

WHEREAS, Douwe began fabricating the metal silhouettes for the FOT project, and payments were made according to the agreement payment schedule; and

WHEREAS, in 2020, the COVID Pandemic produced challenges including shelter in place orders, supply chain issues, and labor shortages all impacting the progress on this project; and

WHEREAS, following the unprecedented pandemic there were more challenges with the project including inflation issues such as rises in costs of materials, supplies, transportation, and labor all impacting the overall cost of this project; and

WHEREAS, in 2023 in an effort to get the project back on track, City staff reached out to Douwe to review the scope of services of his agreement; and

WHEREAS, the City and Douwe discussed the specifics of installation of the monument and determined that in order to comply with California construction law requirements (including prevailing wages), the scope of the agreement had to be amended to have the City take on the obligations of installing the monument.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Brentwood hereby:

Approves and authorizes the City Manager or Designee to execute Amendment No. 1 to the Agreement for Artist Services with Douwe Blumberg reducing the agreement compensation by the amount of \$8,750 and amending the scope of services to have the City handle installation of the Fields of Time monument for the Public Art Spaces – Phase 1 Project, CIP Project No. 337-37244.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 11th day of June, 2024, by the following vote: