



June 10, 2021

RE: Agenda Item 1

Recommendation:

Staff recommends that the Public Art Commission approve additional funding in the amount up to \$43,400 to amend contract C17167868 with artist Mary Lucking to complete the artist designed railing for the Highway 101 bike and pedestrian bridge.

Summary:

Due to delays in the overall Highway 101 bike and pedestrian bridge project and the escalation of materials, fabrication, and shipping costs since the last amendment to Lucking's contract in 2018, additional funds are necessary to complete the artist designed railing for the project.

Background:

Mary Lucking was approved by the Public Art Commission as the project artist in [February 2017](#). Lucking's contract in the amount of \$ 90,000 was approved by City Council March 27th, 2017 (see staff report [#7850](#)). The Conceptual design was reviewed and approved by the Public Art Commission on [August 17, 2017](#). Inspired by the wetlands and the many creatures that live below, Lucking proposed creating sculptures for the overlook that can double as creative seating. More traditional benches, interpretive signage, and bike racks will be available nearby. The cast aluminum pieces have a brushed finish and sculpted texture that will make them visually engaging and interesting to touch. In 2017, the budget allowed for the three pieces to be cast and installed and still leave some funding available to allocate toward an artist designed railing at the overlook area, but not enough to fully fund the railing.

At the time that PAC approved Mary Lucking's design for the seating elements and railing, the commission expressed strong support for the artist designed railing and inquired if additional funding could be allocated for this purpose. Staff informed the PAC that since there was not enough information yet to determine the additional cost, that staff would return to the PAC once the amount of additional funding necessary is determined and make the request.

Because the Bike Bridge is in a marine environment, a very corrosive-resistant alloy is necessary for the artist-designed railing panels. After consultation with multiple fabricators, artists, and public art project managers experienced with commissioned sculptures in similar environments, it was determined that 316L stainless steel was the most appropriate alloy for Mary Lucking's bridge railing design. This material is costly, but will provide the durable corrosion resistance needed for this location. The cost for this stainless steel material was determined in 2018 to be \$11,920, therefore, staff requested that the Public Art Commission add \$10,000 to the Bike Bridge public art project in [April 2018](#), which along with the project contingency, would cover this expense as well as increased costs of materials for the sculptural seating elements and additional engineering of these sculptures requested by the City. The contract amendment was approved by City Council May 29, 2018 (see [staff report # 9230](#)).

Discussion:

Due to the slope and curve of the overlook area of the bridge, the artist must wait until the vertical support posts are installed by the general contractor in order to take precise lidar scan measurements and begin the ten-week panel fabrication process. Each panel will have to be custom made and will be slightly different in size. Precision is of utmost importance in these measurements to ensure safety of the railing. The posts are scheduled for installation in June, and it is important that the artist is able to begin the ten-week fabrication process as soon as possible to minimize delays to the bridge opening. The bike bridge was originally scheduled to be completed in early Spring of 2019. Due to overall delays in the project, Lucking has been waiting two years longer than expected to initiate panel fabrication. In this time, the cost of stainless steel, like many building materials, has risen. Shipping costs have risen to transport her completed artistic seating elements from Arizona to Palo Alto as well.

The covid-19 pandemic caused the artist's Arizona fabricator to postpone many of their projects during 2020. In early 2021, when the Bike Bridge construction was nearing the expected time for the posts to be installed, this fabricator had resumed their backlog of projects, and were too busy to execute Mary Lucking's railing panels in the contractually mandated 10-week period. After reaching out to multiple fabricators, Lucking identified an alternate Bay Area fabricator that could create this work in necessary timeframe, and may be able to deliver them sooner.

The new fabricator required some structural modifications to the railing panels' design. This has incurred additional charges for structural engineering, design, and oversight. The fabricator will be able to measure between posts, fabricate, and deliver Lucking's railing panels in the ten-week timeline from when the railing posts are installed, but the cost of their work is estimated to be \$24,400 more than the original budget amount. In addition, the contract amendment will

cover increased expenses associated with increased shipping costs, additional structural engineering reviews, design and oversight.

Therefore, staff requests that the Public Art Commission increase Mary Lucking's budget for the Bike Bridge project by \$43,400 for a total contract amount up to \$153,400, including contingency for any further possible cost increases for materials and fabrication.

Bridge Project Status:

The bridge is partially constructed, and the center span of the bridge is scheduled for installation June 12th and 13th. Public Works is trying to complete the bridge by the end of August.

Resource Impact:

The funds in the amount of \$43,400 for the contract will come from the pooled art funds in the Art in Public Spaces CIP (AC-86017). The Public Art for Municipal Projects Ordinance (Ordinance Number 5301, Municipal Code 2.26.070) requires that 1% of the CIP budget for municipal projects is allocated for the commission of public art. The Highway 101 Pedestrian/Bicycle Overpass Project CIP (PE-11011) contributed 1% of the project's funding in the amount of \$143,600 to the Art in Public Spaces (AIPP) CIP in order to fund the public art component of this project recommended in this memorandum. Additional contingency funds may come from funds derived from bike/pedestrian plan funds previously transferred to the AIPP CIP.

Timeline:

The posts are scheduled for installation in late June, and it is important that the artist is able to begin the ten-week fabrication process as soon as possible to minimize delays to the bridge opening. Upon Public Art Commission approval of the additional funds, Purchasing will expedite the contract amendment process to ensure that artist Mary Lucking can engage her fabricator to begin work as soon as the vertical posts are installed in the coming weeks.