



## City of San Luis Obispo Sole Source Justification

Form

### TANK FARM ROUNDABOUT SCULPTURE

*The City of San Luis Obispo policy is to solicit quotations or bids for purchases of commodities or services for specified dollar amounts and select vendors on a competitive basis (See City of San Luis Obispo Financial Management Manual, Section 201, Exhibit 201-B).*

*Under San Luis Obispo Municipal Code Chapter 3.24.060, procurement obtained from a single source can be purchased without engaging in bidding procedures. Staff must justify waiving the competitive bidding process in this sole-source form. The justification should provide enough detail so that anyone in the public with no background on the purchase can understand the justification.*

#### **1. What is the product or service? Why is this product or service offered the only 'sole-source' that meets the City's requirements?**

The City is seeking to purchase a signature sculpture piece for placement as part of the new roundabout project at the intersection of Tank Farm Road and Orcutt Road. *The Greys in Between* by Anila Agha is unique based on its size and structural factors, and its strong alignment with the City's Major City Goal of Diversity, Equity and Inclusion, and its DEI Statement ("We envision a San Luis Obispo that is welcoming, inclusive, and safe. Our city values diversity, promotes equity and belonging, actively denounces systemic racism, and actively works toward racial justice"). Agha is a renowned Pakistani-American artist, and according to SLOMA, this piece explores the intersections of religious dogma, race, class and culture, confronting global exclusionary politics and acknowledging minority and immigrant populations' contributions to our society.

SLOMA serves as a contracted partner (contract attached) for downtown and roundabout art installations with City staff providing support in a liaison role. As such, SLOMA takes the lead for finding appropriate artists and art pieces for the City's needs. See attached description memo from the San Luis Obispo Museum of Art (SLOMA) for full artist and sculpture description.

The unique sculpture, *The Greys in Between*, meets the structural engineering requirements for the roundabout project in size and scope, price point for this CIP project, as well as the availability to meet the project timeline requirements. The design allows for reduced distraction from drivers, while still showcasing a unique art piece. The art piece has limited to no moving parts that would distract drivers as well as require long-term maintenance, reduced reflections that could impact drivers, and has the appropriate footprint for the size roundabout at the Tank Farm and Orcutt intersection. SLOMA representatives provided the City Manager, Assistant City Manager, Recreation Manager, and Public Works engineering staff information on the four different art options and *The Greys in Between* was unanimously selected based on the criteria for this intersection project.

**2. Have other products/vendors been considered? If yes, which? And how did they fail to meet the City's requirements?**

SLOMA vetted three other works before choosing this piece of work. Based on the project budget of \$300,000, and the restrictions unique to the location and space (size, structure, and safety), the art piece, *The Greys in Between*, was the recommended sculpture for this roadway project. Below are the three other art pieces reviewed by SLOMA and City representatives and SLOMA's explanation of why they were not chosen:

- a. Camille Walala – UK based public sculpture artist. Working with Camille wasn't feasible right now with the City's budget, as her commissions cost upwards of \$750,000.
- b. Sebastian Ionescu – Sebastian's work is lovely, colorful and whimsical, and would have been within budget, but he is not far enough in his career to be prepared to present a project of this scale.
- c. Garet Zook – Garet is a very well-respected local sculptor and SLOMA recommends using his work for a future roundabout; however for the first piece, the desire to send a message of equity and inclusivity and working with Anila checked that box.

**3. Is the purchase an upgrade or addition to an existing system or brand of products adopted as a citywide standard? If so, will the purchase of this product avoid "switching" costs? (e.g., additional training required; data conversion; implementation of a new system; etc.)?**

This sculpture contributes to the growing body of public art that the City has funded in fulfillment of its Major City Goals. Additional sculpture art pieces are planned for designated upcoming roundabout intersection projects to fulfill the MCGs and CIP projects.

**4. Is this a request for services by a contractor with unique and critical knowledge of established City systems or programs? If so, will the use of the contractor's services avoid other costs (e.g., significant staff time in compiling information, data transfers, etc.)?**

As part of its annual agreement, SLOMA is obligated to provide all coordination of public art in the downtown corridor and installations of roundabout art for the City during the two-year term of its agreement (July 21, 2021, to July 21, 2023). One of the public art projects outlined in the contract is to initiate planning for installation of public art within current or planned City roundabouts (3.C. SLOMA OBLIGATIONS). As outlined further in the agreement, the SLOMA public art project coordination includes coordinating and facilitating solicitation of the Requests for Proposals / Call for Artists for each project, as well as appointing an art jury and coordinating and facilitating the jury process.

This final recommendation from SLOMA represents the culmination of that process.

5. **What is the quoted price for the product or service, and is it reasonable (based on other products or services in the same field or based on historical pricing for the City for similar products or services)?**

At a total cost of \$200,000 for acquisition, the roundabout sculpture falls within the \$300,000 budget approved in the FY 2021-23 Financial Plan. Additional costs will include structural engineering and installation to complete the new roadway project.

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Requester

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Approver

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Date