

# Memorandum



**Date:** October 8, 2024

**To:** Chair and Members  
Art in Public Places Trust

**From:** Marialaura Leslie, Director  
Department of Cultural Affairs

**Subject:** Trust Resolution No. APPT 24-56 / Lopez de Victoria Studio LLC - South Dade Transitway Corridor / Addendum II

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## **Trust Resolution No. APPT 24-56**

RESOLUTION APPROVING ADDENDUM II TO THE PROFESSIONAL ARTIST SERVICES AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED WITH LOPEZ DE VICTORIA STUDIO, LLC (LEAD ARTIST MONICA LOPEZ DE VICTORIA) IN THE NOT-TO-EXCEED AMOUNT OF \$95,000.00 FOR ADDITIONAL FABRICATION AND INSTALLATION SERVICES OF THE ARTWORK FOR THE SOUTH DADE TRANSITWAY CORRIDOR GARAGE PROJECT (FROM MIAMI-DADE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS PUBLIC ART FUNDS)

### **Recommendation**

It is recommended that the Art in Public Places Trust approve Addendum II to the Professional Artist Services Agreement in substantially the form attached with Lopez de Victoria Studio, LLC (lead artist Monica Lopez de Victoria) in the not-to-exceed amount of \$95,000.00 for additional fabrication and installation services of the artwork for the South Dade Transitway Corridor Garage project.

### **Background**

On May 10, 2022 through approval of Trust Resolution No. APPT 22-21, the Trust authorized a Professional Artist Services Agreement with Lopez de Victoria Studio, LLC (lead artist Monica Lopez De Victoria) in the initial amount of \$22,500.00 for design development of a technology-based artwork proposal featuring a series of LED screen panel cabinets attached to an exterior wall section of the BRT Station in the new park-and-ride garage along the 20-mile South Dade Transitway Corridor project.

Subsequently, on June 13, 2023, due to the project's accelerated construction schedule and the successful completion and acceptance of the artist's infrastructure development by APP staff and the client's executive team, the Trust approved Resolution No. APPT 23-40 authorizing Addendum I to the Professional Artist Services Agreement with Lopez de Victoria Studio, LLC in the not-to-exceed amount of \$127,500.00 for fabrication and installation of the approved and final artist's design. This time-based media work was commissioned with the intent of utilizing existing electrical, data, and structural services available in the contract between our partners at Department of Transportation and Public Works (DTPW) and the design-build firm responsible for the construction of the overall South Dade Corridor program. However, lengthy negotiations and discussions between APP and DTPW with the design-build firm and its subcontractors, failed to result in reasonable and cost-effective options for the artist to integrate the artwork needs into the garage's existing permit plans and construction.

To ensure the completion of the artwork as committed to DTPW, the artist will now work

independently with her own team of electrical engineers and subcontractors under a separate permit. This approach will allow the artist to complete the fabrication and installation of the artwork infrastructure within a maximum guaranteed cost and the project's completion timeline. At the request of APP staff, the artist secured multiple estimates for material procurement, engineering, and construction services, of which the lowest qualified bid came in at \$95,000.00. Given the artwork's advanced level of completion, APP has evaluated available funding options and recommends the allocation of unencumbered internal program contingency to cover this additional unforeseen expense.

APP staff recommends the approval of Trust Resolution No. APPT 24-56 authorizing Addendum II to the Professional Artist Services Agreement with Lopez de Victoria Studio, LLC (lead artist Monica Lopez de Victoria) in the not-to-exceed amount of \$95,000.00 for additional fabrication and installation services for the technology-based artwork project at the South Dade Transitway Corridor Park-and-Ride Garage project.