

# Memorandum



**Date:** June 13, 2023

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

**From:** Michael Spring, Director  
Department of Cultural Affairs

**Subject:** Trust Resolution No. APPT 23-41 / JM Valdes Arts LLC – Carnival Terminal F / Addendum II

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## **Trust Resolution No. APPT 22-41**

RESOLUTION APPROVING ADDENDUM II TO THE PROFESSIONAL ARTIST SERVICES AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED WITH JM VALDES ARTS, LLC (LEAD ARTIST JUANA VALDES) IN THE NOT-TO-EXCEED AMOUNT OF \$25,000.00 FOR ADDITIONAL PHASE II - FABRICATION AND INSTALLATION SERVICES FOR THE CARNIVAL CRUISE LINES TERMINAL F EXPANSION PROJECT AT PORTMIAMI (FROM PORTMIAMI – TERMINAL F 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 JM Valdes Arts, LLC (lead Artist Juana Valdes) in the not-to-exceed amount of \$25,000.00 for additional Phase II - Fabrication and Installation services for the Carnival Cruise Lines Terminal F Expansion Project at PortMiami.

### **Background**

A meeting of the Professional Advisory Committee (PAC) was held on May 28, 2021 to review design proposals from seven (7) artists shortlisted from a national Call to Artists for a number of interior artist opportunities at the new Carnival Cruise Lines Terminal F Expansion Project at PortMiami. The PAC's deliberation resulted in the unanimous recommendation of Juana Valdes for full development of her concept "The Deepest Blue" for the back wall of the VIP screening area. The proposal incorporated the artist's practice of ceramics and her ongoing research into the histories, aesthetics, and material representations of the travel of goods and people throughout the world by water. On June 8, 2021 through approval of Trust Resolution No. APPT 21-45, the Trust authorized a Professional Artist Services Agreement with Juana Valdes in the initial amount of \$62,500.00 for design development. This contract was later increased on March 2022 by Trust approval of Addendum I in the amount of \$187,500.00 for fabrication and installation of the artist's sculptural wall design.

To implement her unique and elegant vision for the work, the artist had to partner with multiple fabricators in different regions of the US to address the different production stages of the large sculptural tile design. The work was produced in small batches to allow the artist maximum control over the quality of the custom molds, the color mixing, hand-painting, and glazing of each sculptural tile. Though the artist managed the project expenses very closely over the nearly two years of production, the project budget was negatively impacted by cost overruns mainly driven by the nationwide shortage of labor and materials resulting from the COVID pandemic. The artist used up the project's \$12,500.00 contingency to cover increased costs in raw materials, overtime labor for mapping and CNC milling, and in handling and transporting the artwork to multiple regions for its various stages of production.

In addition to these expenses, the artist during design development had negotiated a change order with the Terminal F contractor to modify existing wall conditions at the artwork's location that compromised the best configuration for the work. The change order in the value of \$25,000.00 included the relocation of fire strobes, sprinkler pipes, electrical work to add dedicated lighting, reinforcement, and repainting of the wall. In anticipation of the potential cost overruns in the artwork fabrication and the advanced readiness of the VIP Lounge to receive the artwork as committed to Carnival, APP staff set aside 10% of the total Terminal F program's internal contingency to address the contractor's change order.

APP staff recommends the approval of Trust Resolution No. APPT 23-41 authorizing Addendum II to the Professional Artist Services Agreement in substantially the form attached with JM Valdes Arts, LLC (lead artist Juana Valdes) in the not-to-exceed amount of \$25,000.00 for additional fabrication and installation services for the Terminal F Expansion Project artwork at PortMiami. This Trust approval will release \$25,000.00 of unencumbered APP contingency funds to help balance the artist's project budget and pay the contractor for the work performed.