


Memorandum



Date: November 14, 2023

To: Chair and Members
Art in Public Places Trust

From: Marialaura Leslie, Director 
Department of Cultural Affairs

Subject: Trust Resolution No. APPT 23-72 / Ivan Toth Depeña – ARC at Aventura Library / Restoration Contract

Trust Resolution No. APPT 23-72

RESOLUTION APPROVING A PROFESSIONAL ARTIST SERVICES AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED WITH AIRBOAT, INC. (LEAD ARTIST IVAN TOTH DEPEÑA) IN THE AMOUNT OF \$25,000.00 FOR PHASE I – DESIGN SERVICES FOR THE RESTORATION OF THE ART IN PUBLIC PLACES COLLECTION ARTWORK ARC AT THE NORTHEAST REGIONAL LIBRARY IN AVENTURA (FROM ART IN PUBLIC PLACES REPAIR AND RESTORATION FUNDS).

Recommendation

It is recommended that the Art in Public Places Trust approve a Professional Artist Services Agreement in substantially the form attached with Airboat, Inc. (lead artist Ivan Toth Depeña) in the amount of \$25,000.00 for Phase I – Design Services for the restoration of the Art in Public Places Collection artwork *ARC* at the Northeast Regional Library in Aventura.

Background

In November of 2015, artist Ivan Toth Depeña completed *ARC*, a monumental sculpture commemorating the rebirth of a state-of-the-art Northeast Regional Library 10 years after its destruction by Hurricane Wilma in 2005. *ARC*'s abstract form was derived by plotting the data from actual wind pattern, speeds, and duration that destroyed this library facility. The sculptural form rising proud over the edge of a new retention pond was enhanced with a dynamic light-based component that reacted to the constant changes of wind pattern and speeds. Once completed, *ARC* became an everchanging beacon of light and color and a significant landmark to the newly built library in the City of Aventura.

Over the years, constant exposure to the elements and the library's proximity to a marine environment have damaged the technology-based components installed on the sculpture's foundation. A preliminary condition assessment performed by APP staff confirmed that none of the LED color fixtures are working and that the sculpture as well as its foundation are in urgent need of a deep cleaning. Library staff has also confirmed that during heavy rains water levels in the retention pond have been significantly higher than originally planned, resulting in the sculpture's foundation being several times under water.

On March 14, 2023, through approval of Trust Resolution No. APPT 23-18, the Trust authorized a proposal contract with the artist to perform a complete condition assessment and develop a conservation and repair plan including a proposed project budget and schedule that addresses the nonfunctioning components of the artwork and provides a new 2-year warranty and a minimum life cycle expectancy for the technology portions of the work of at least 10 years. Through this process, the artist has submitted a detailed report outlining the various portions of the work to be performed by local qualified subcontractors with associated costs and providing an initial recommendation of replacement

components for the electrical, data, and lighting components of the work with an all-inclusive estimated cost of \$115,000.00.

In consideration of the site's challenging working conditions and the needs for the proposed repairs to reuse as much of the existing underground infrastructure, APP staff recommends that the artwork restoration be performed in two separate phases to allow the artist and his team to properly redesign the technology-based portion of the work and ensure that the proposed repairs and equipment can withstand the natural and harsh conditions of the site. APP staff will work closely with the artist to negotiate the most robust solution within a not to exceed budget of \$115,000.00.

APP staff recommends the approval of Trust Resolution No. APPT 23-72 authorizing a Professional Artist Services agreement with Airboat, Inc. (lead artist Ivan Toth Depeña) in the amount of \$25,000.00 for Phase I- Design Services for restoration of the APP Collection artwork *ARC* at the Northeast Regional Library in Aventura.