

**CITY OF TAMARAC**  
**INTEROFFICE MEMORANDUM 21 03 004M**  
**COMMUNITY DEVELOPMENT**

**TO:** Michael C. Cernech,  
City Manager

**FROM:** Maxine Calloway,  
Director of Community Development

**DATE:** March 30, 2021

**RE: TR # 13582: Approval of Agreement with Techgroupone Inc., for The Sunset Point Park Artistic Structure**

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**Recommendation:**

The Director of Community Development recommends that the Mayor and City Commission approve the Agreement with Techgroupone Inc., for design, fabrication and installation of artistic structure comprised of a classroom and reflective kaleidoscope at Sunset Point Park at its April 14, 2021 meeting.

**Issue:**

The City's Public Art Committee is recommending the selection of Techgroupone Inc., for the design, fabrication and installation of an artistic structure comprised of a classroom and reflective kaleidoscope at Sunset Point Park.

**Background:**

The City, through its Public Art Committee has facilitated the installation of several significant Public Art pieces throughout the community. In furtherance of the City's objective in branding the City as a public art destination, the City Commission has directed the installation of artistic fencing and features/structures in City parks and facilities as a way of creating a common artistic theme in all public parks.

The Sunset Park artistic structure has been a visionary aspiration for the City for several years. In 2014, the City received a Twenty-Five Thousand (\$25,000) grant from the National Endowment for the Arts (NEA) for the design of the Project. Artist Margi Nothard was selected to design the innovative kaleidoscope type structure, comprising of an outdoor classroom to serve as an iconic artistic symbol in Tamarac's Sunset Point Park. The structure is expected to be seen from the Sawgrass Express way and serve as an environmentally friendly educational tool for residents and visitors to see the Everglades from the reflective kaleidoscope while enjoying the various plant species at the park.

On August 28, 2017, the City of Tamarac issued Bid Document No. 17-28R for the Design/Building Construction of Sunset Hammock Artistic Work, which was abandoned thereafter, due to the high bids received for the Project. In an effort to reduce the cost, on September 9, 2019, the City Commission provided consensus to Artist and Architect Margi Nothard to proceed with a low scale redesign of the artwork and the preparation of the Design and Specification Packet for a re-bid of the Project.

On June 11 2020 (Step 1) and then on November 19, 2020 (Step 2) the City of Tamarac issued Bid Document No. 20-11RP for Sunset Point Park to solicit competitive bids for the design, fabrication and installation of an artistic structure comprised of a classroom and reflective kaleidoscope at Sunset Point Park. The City received responses from both MBR Construction Inc., and Techgroupone Inc., for the design, fabrication and installation of the artistic structure comprised of a classroom and reflective kaleidoscope at Sunset Point Park.

The City Manager established a Selection Committee which comprised of the Assistant Director of Public Services/Capital Projects Manager, Senior Project Manager from Public Services, the City's Grants Administrator, Director of Community Development and the Assistant Director of Parks and Recreation. MBR Construction Inc., and Techgroupone Inc., were evaluated through the formal evaluation process, and Techgroupone, Inc, was ranked Number 1 (#1) with 535 points with MBR Construction Inc., receiving 522.5 Points.

Techgroupone has agreed to design, fabricate and install the artistic structure at Sunset Point Park at a contract price of \$773,342.09 which includes a federal grant of Four Hundred Thousand Dollars and Zero Cents (\$400,000.00). In addition, staff is requesting the authorization for the inclusion of a City controlled contingency in the amount of \$77,334.21 representing approximately 10% of the contract cost.

In accordance with Section 5-305(b)(3) of the City of Tamarac Code of Ordinances, the Public Art Committee is required to make recommendations to the City Commission on art and artist selections. The Public Art Committee, therefore, recommends the selection of Techgroupone's proposal for the design, fabrication and installation of an artistic structure in the Sunset Point Park.

### **Analysis:**

The City will enter into a contract with Techgroupone ("Contractor") in an amount not to exceed \$773,342.09 ("Agreement") for the design, fabrication and installation of the proposed artistic structure comprised of a classroom and reflective kaleidoscope (Work) as further outlined below:

- The Agreement is for \$773,342.09 to be paid based on certain deliverables as further outlined in the Agreement.
- A city-controlled contingency of \$77,334.21 or 10% of the contract value is added to the project budget to offset any unforeseen expenses.
- The City reserves the right to terminate the Agreement for convenience upon seven (7) days written notice by the City to Techgroupone. For such termination, Techgroupone will be paid its compensation for services performed to termination date.
- The Contractor is required to complete the fabrication, transportation and installation of the Work, within Three Hundred and Sixty-Five (365) calendar days from issuance of the Notice to Proceed.
- The Contractor is required to carry the appropriate insurance and levels as determined by the City.
- The City is responsible to maintain and repair the Work after the Work is accepted by the City.

City support of this initiative is consistent with the City's Strategic Plan, Goal #4:

***"Tamarac is Vibrant".***

**Fiscal Impact:**

The Public Art Program is funded by and through a public art fee generated from the construction value of improvements to real property in the City. As such, funds are generated on a continuous basis, and will be available in the Public Art Program to cover a portion of the contract costs associated with funding the Agreement. In addition, the City applied for and was awarded a Land and Water Conservation Grant in the amount of \$400,000 which will be applied to the total cost of the Project.



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Maxine Calloway,  
Community Development Director

Attachments:      Temporary Resolution No. 13582  
                         Exhibit "A" – Agreement with Techgroupone, Inc.  
                         Sunset Hammock Conceptual for Sunset Point Park