



### Legislation Details (With Text)

**File #:** 52540      **Version:** 2      **Name:** Vanguard Sculpture Services  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/18/2018      **In control:** Department of Planning and Community and Economic Development  
**On agenda:** 9/4/2018      **Final action:** 9/4/2018  
**Enactment date:** 9/7/2018      **Enactment #:** RES-18-00658

**Title:** SUBSTITUTE Authorizing a sole source contract for services the noncompetitive purchase of goods from Vanguard Sculpture Services LTD as a sole source provider of for the fabrication and installation of "Badger," a bronze sculpture by Harry Whitehorse, for the plaza at Monroe Street, Regent Street, and South Breese Terrace; and authorizing the amending the 2018 Capital Budget to accept \$15,000 acceptance of funds raised privately by volunteers from their fiscal receiver Arts Wisconsin, Inc. towards associated project costs.

**Sponsors:** Sheri Carter, Allen A. Arntsen

**Indexes:**

**Code sections:**

**Attachments:** 1. Vanguard Sculpture Services LTD Non-Competitive Selection Request - CC Approval Required - July 2018.pdf, 2. 52540-Version\_1.pdf

Date	Ver.	Action By	Action	Result
9/4/2018	2	COMMON COUNCIL	Adopt Unanimously	Pass
8/13/2018	2	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
7/24/2018	1	COMMON COUNCIL	Refer	Pass
7/24/2018	1	Department of Planning and Community and Economic Development	Referred for Introduction	

#### Fiscal Note

The proposed resolution authorizes a sole-source contract for services, totaling \$70,897, for the fabrication and installation of a bronze sculpture located at the Monroe Street, Regent Street, and South Breese Terrace plaza. Funding for the project includes \$15,000 from the Municipal Art Fund capital project, \$15,000 from private contributions, and approximately \$40,000 from the Monroe Street capital project. The 2018 Adopted Capital Budget will be amended to accept the \$15,000 of private contributions into the Municipal Art Fund program. No additional City appropriation is required.

#### Title

SUBSTITUTE Authorizing a sole source contract for services ~~the noncompetitive purchase of goods~~ from Vanguard Sculpture Services LTD ~~as a sole source provider of~~ for the fabrication and installation of "Badger," a bronze sculpture by Harry Whitehorse, for the plaza at Monroe Street, Regent Street, and South Breese Terrace; and ~~authorizing the~~ amending the 2018 Capital Budget to accept \$15,000 ~~acceptance of funds raised privately by volunteers from their fiscal receiver Arts Wisconsin, Inc. towards associated project costs.~~

#### Body

WHEREAS, RES-17-00628, File # 48049 authorized contracting with Ken Saiki Design, Inc. for Landscape Architect services and site plans for public art associated with the Monroe Street Reconstruction Project; and

WHEREAS, Ken Saiki Design, Inc. participated in a robust public engagement process in order to develop a

community supported public art plan for the area; and

WHEREAS, at the final public meeting on November 8, 2017, neighborhood residents and stakeholders reviewed the plan which included several public art projects including “Badger” by Harry Whitehorse; and

WHEREAS, the Madison Arts Commission reviewed and approved the final landscape design and public art plan for Monroe Street at their October 2, 2017 meeting; and

WHEREAS, the plan calls for “Badger,” a sculpture by Harry Whitehorse, to be placed in the triangle-shaped plaza formed by Monroe Street, Regent Street, and South Breese Terrace, across from Camp Randall Stadium; and

WHEREAS, “Badger” will sit at eye-level with young children, be cast in durable bronze, and secured on a rubberized surface for safer interaction, to ensure it is a family-friendly work intended to engage people of all ages; and

WHEREAS, before his death on November 29, 2017, the renowned Artist Harry Whitehorse crafted the original model that will be used to create a mold for the final piece; and

WHEREAS, Harry Whitehorse, intended to have the final piece cast by Vanguard Sculpture Services, Ltd, as Vanguard was his preferred fabricator for all of his bronze works; and

WHEREAS, the City would have typically contracted with the artist for the entirety of the project, from conceptualization to installation, but in this circumstance, we are left to complete the project in accordance with the plans and wishes of the artist in consultation with his family; and

WHEREAS, Vanguard Sculpture Services LTD having worked with Whitehorse numerous times, is the foundry most familiar with the artist’s preferences of finishes and casting techniques; and

WHEREAS, Vanguard Sculpture Services LTD is a fine art foundry in Wisconsin, thus reducing cost to transport the piece to and from Madison, as well as reducing cost for future care and maintenance, should their ongoing consultation be necessary; and

WHEREAS, community volunteers, using Arts Wisconsin, Inc. as their fiscal receiver, secured private donations to help offset the cost for the fabrication and installation of the Whitehorse Badger; and

WHEREAS, community volunteers have submitted funding requests to individuals and organizations for donations towards the anticipated costs of the project; and

WHEREAS, they will continue to seek donations; and

WHEREAS, the Madison Community Foundation contributed \$10,000 towards the project expenses; and

WHEREAS, the Ho-Chunk Nation contributed \$5,000 towards the project expenses; and

WHEREAS, funding that comes in towards the project, beyond what is already allocated for fabrication and installation, will be used to cover expenses associated with installation of an informational plaque for the artwork, and the dedication ceremony, with any remaining funds added to a maintenance endowment for the work; and

WHEREAS, the Madison Arts Commission voted at their July 10, 2018 meeting to contribute \$15,000 from Art in Public Places funding to complete this initial phase of fundraising so that the model could be transported to Vanguard Sculpture Service LTD for work to begin on casting; and

WHEREAS, secured funding for the project has now reached \$71,750 which slightly exceeds the estimate of \$70,897 for fabrication and installation from Vanguard Sculpture Services, LTD; and

WHEREAS, the Department of Planning Community and Economic Development desires to enter into a contract with Vanguard Sculpture Services in an amount not to exceed \$70,897 to provide fabrication and installation services to complete Harry Whitehorse's Badger sculpture; and

WHEREAS, under MGO 4.26(4)(a) a service contract of more than \$25,000 that was not competitively selected must be approved by the Common Council and must meet one of the exceptions in MGO 4.26(4)(b); and

WHEREAS, for the reasons stated on the attached Noncompetitive Selection Request Form, Vanguard Sculpture Services is the only arts foundry in the area that can provide the specific needs for the fabrication and installation of Harry Whitehorse's artwork, thereby meeting the exception of MGO 4.26(4)(b)2., "the service required is available from only one person or firm."

~~WHEREAS, for the reasons explained above and in the attached Noncompetitive Selection Request Form, Vanguard Sculpture Services, LTD is the only vendor that can provide for the specific needs for the fabrication and installation of this piece.~~

NOW, THEREFORE, BE IT RESOLVED, that the City may use amend the 2018 Capital Budget to include \$15,000 of private contributions to offset costs associated with the installation of "Badger" by Harry Whitehorse in the plaza at Monroe Street, Regent Street, and South Breese Terrace.

~~NOW, THEREFORE, BE IT FURTHER RESOLVED, that that the Common Council hereby authorizes the Mayor and City Clerk to enter into a sole source agreement with Vanguard Sculpture Ltd. in an amount not to exceed \$70,897 for the purchase of the completed bronze sculpture.~~