

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

**October 6, 2020**

**FROM**

**GARY McBRIDE, Chief Executive Officer, County Administrative Office**

**SUBJECT**

Amendment No. 4 to Contract with Community Arts, Inc. for the December 2<sup>nd</sup> Memorial Project

**RECOMMENDATION(S)**

Approve **Amendment No. 4** to **Contract No. 18-08** with Community Arts, Inc., exercising the option to extend the contract from December 1, 2020 through November 30, 2021, for Phase 3 of the December 2<sup>nd</sup> Memorial Project, for a total contract term of January 8, 2018 through November 30, 2021, increasing the amount of the contract by \$137,500, from \$392,500, for a total contract amount not to exceed \$530,000, with the option to extend the contract for an additional one-year period.

(Presenter: Gary McBride, Chief Executive Officer, 387-5418)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Focus on Recovery and Resiliency Following the December 2, 2015 Terrorist Attack (SB Strong).**

**FINANCIAL IMPACT**

Approval of the recommended contract amendment with Community Arts, Inc. (CAI) will not result in the use of Discretionary General Funding (Net County Cost). The increase in contract costs for the recommended amendment for Phase 3 of the December 2<sup>nd</sup> Memorial Project (Phase 3) is anticipated to cost \$10,000 per month for CAI's consulting services, plus reimbursement of travel expenses of up to \$17,500, for a total not to exceed \$137,500. The increase in the contract amount will be paid from the December 2<sup>nd</sup> Memorial Reserve. Any necessary budget adjustments will be presented in a future quarterly report to the Board of Supervisors (Board) for approval.

**BACKGROUND INFORMATION**

Contract No. 18-08 with CAI was approved by the Board on January 9, 2018 (Item No. 17) to assist the December 2<sup>nd</sup> Memorial Committee (Memorial Committee) with the ultimate selection of the artist, design, creation and installation of the December 2<sup>nd</sup> Memorial (Memorial). The Memorial Committee was formed by Supervisor Josie Gonzales after Chairman James Ramos on February 9, 2016 appointed her to work with the Chief Executive Officer and others to create a memorial that honors the victims, survivors, rescuers, and all who were affected by the December 2<sup>nd</sup> terrorist attack.

Under the leadership and guidance of Supervisor Gonzales, CAI worked effectively with the Memorial Committee to identify the Memorial Committee's vision for the memorial and used its

**Amendment No. 4 to Contract with Community Arts, Inc. for the  
December 2nd Memorial Project  
October 6, 2020**

expertise in public art and extensive contacts in the worldwide art community to solicit nearly 100 proposals from artists across the country and around the world.

On October 2, 2018 (Item No. 10), the Board approved Amendment No. 1, including an extension of the original expiration date of the contract from January 8, 2019 to March 31, 2019 pursuant to recommendation of the December 2<sup>nd</sup> Memorial Committee (Memorial Committee) to assist the Memorial Committee in evaluating artist submissions and making the final selection of artwork for installation. On March 12, 2019 (Item No. 24), the Board approved Amendment No. 2, with an extension to the expiration date of the contract from April 1, 2019 to May 31, 2019 on recommendation of the Memorial Committee to have CAI fully evaluate and provide a comprehensive analysis of the two finalist submissions and share that analysis with the Memorial Committee. On May 23, 2019 (Item No. 2), the Board approved Amendment No. 3 that extended the term of the contract from June 1, 2019 to November 30, 2020, to allow CAI to facilitate Phase 3 of the project, which includes finalizing the details of an agreement with the selected artist as well as the construction and installation of the Memorial. The Memorial Committee selected Walter Hood Design Studio (Hood Design Studio) to design and fabricate the Memorial. On September 29, 2020 (Item No. 27), the Board approved a contract with Hood Design Studio for site work improvement and artwork design documents for the Memorial, for the period September 30, 2020 through January 31, 2021, with an option for the Chief Executive Officer to extend the contract through March 31, 2021. After the County and Memorial Committee approves the design documents and project budget submitted by Hood Design Studio, the County Administrative Office will present a contract for the fabrication, construction, and installation of the Memorial (i.e., the Phase 3 work) for Board approval at a future meeting. Amendment No. 4 to the contract with CAI is recommended so that CAI may continue to facilitate Phase 3 of the Memorial.

**PROCUREMENT**

On January 9, 2018 (Item No. 17), as a result of a competitive procurement, the Board approved Contract No. 18-08 with CAI for the provision of a framework for the ultimate selection of the artist, design, creation, and installation of the December 2<sup>nd</sup> Memorial.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Penny Alexander-Kelley, Chief Assistant County Counsel, 387-5455) on September 28, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919) on September 28, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 28, 2020.

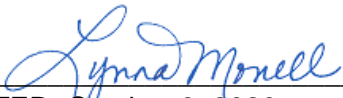
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October 6, 2020**

Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman   Seconded: Robert A. Lovingood  
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: October 6, 2020



cc:    CAO- Shea w/agree  
      Contractor- C/O CAO w/agree  
      File- w/agree  
LA    10/14/2020