

ORDINANCE NO. 003-26

AN ORDINANCE AUTHORIZING THE
EXECUTION OF AN INTER-
GOVERNMENTAL SERVICES
AGREEMENT RELATED TO THE
ADMINISTRATION OF A PUBLIC
ARTS PROGRAM FOR THE DOUGLAS
BRANCH OF THE BLUE LINE BY THE
CITY OF CHICAGO, DEPARTMENT OF
CULTURAL AFFAIRS

WHEREAS, The Authority intends to incorporate quality design and art into certain construction projects from time to time to create public art for Authority customers and the communities it serves; and

WHEREAS, The Authority has authorized the procurement and installation of public art in the current reconstruction efforts on the Douglas Branch of the Blue Line (“Douglas Branch Art Project” or “DBAP”) and has allocated funding for the DBAP from the Full Funding Grant Agreement with the Federal Transit Administration (“FTA”), which agreement was authorized by Transit Board Ordinance No. 001-18 on January 16, 2001; and

WHEREAS, The City of Chicago created a percent for art program in 1978 (Public Art Program) and, as part of its Public Art Program, the City has established an administrative and artworks consultation model for the commission and purchase of artworks for public spaces through the creation of a Public Art Committee (“PAC”) and a Project Advisory Panel (“PAP”); and

WHEREAS, The City, through its Department of Cultural Affairs, administers the City Public Art Program which is sufficiently staffed and has the expertise to provide Public Art administrative services to other governmental entities, including the Authority; and

WHEREAS, The Authority desires to utilize the City’s Public Art Program expertise and knowledge and borrow from its established administrative and artworks consultation model to assist in the implementation and administration of the DBAP; and

WHEREAS, The City has agreed to use its staff and expertise to assist the Authority in implementing and administering the DBAP, subject to approval of the program by the Chicago City Council; and

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WHEREAS, The program for the DBAP developed by the Authority and the City provides for the City to administer the solicitation, evaluation and installation of public art for the Authority; and

WHEREAS, The Authority will install such public art at the Damen, Western, California, Kedzie, Central Park, Pulaski, Kostner and 54th and Cermak stations along the Douglas Branch of the Blue Line; and

WHEREAS, The program for the DBAP includes participation by members of the community who will serve on a PAP and assist in the evaluation of local and national artists for the creation of artworks that may be used within or on the Douglas Branch station houses, entrances and platforms; and

WHEREAS, An Intergovernmental Services Agreement with the City reflects the agreed-to program components for the DBAP; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. That the Chicago Transit Board of the Chicago Transit Authority hereby authorizes an Intergovernmental Services Agreement ("IGA") with the City of Chicago, Department of Cultural Affairs ("City"), whereby the City will administer the solicitation, selection, design, creation and installation of public art for the eight stations on the Douglas Branch of the Blue Line, said IGA being substantially in conformance with Exhibit A attached hereto.

SECTION 2. That the President of the Chicago Transit Authority, or his designee, is hereby authorized to execute the IGA with the City on the following terms and conditions:

- A. The budget for the DBAP shall be up to one million dollars (\$1,000,000), up to two hundred thousand dollars (\$200,000) of which shall be allocated for administrative expenses, and up to eight hundred thousand dollars (\$800,000) of which shall be allocated for the creation and installation of public art.
- B. The IGA's term shall not exceed five years.

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- C. Payments by the Authority to the City will be made only upon achievement of specific milestones.
- D. All artists and any third-party installers of artwork for the DBAP will be subcontractors of the City.
- E. The Authority will have ownership rights to the artwork created for the DBAP.
- F. The City will obtain for the Authority a one-year warranty on non-compliant parts and labor from each artist and from any third-party installer and for installations performed by City forces.
- G. The City will determine the awards for the artwork projects. Upon receipt of notice from the CTA regarding the final selection of any design or artwork, the City will enter into a contract with the selected artist ("Artist"). The form of agreement used by the City for the artist contract shall be reviewed and approved by the CTA in advance of its usage for the DBAP (the "Artist Contract"). All Artists shall be subcontractors of the City.

SECTION 3. That Staff shall not be obligated to expend all budgeted amounts set forth herein.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

February 5, 2003

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