

City of Fayetteville Staff Review Form

2019-0509

Legistar File ID

9/3/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Leif Olson

8/16/2019

SUSTAINABILITY/RESILIENCE (631)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Contract for Services with the Fayetteville Advertising and Promotion Commission to manage the development of various programming, marketing, management and operations aspects of the Cultural Arts Corridor Project and approval of a budget adjustment.

Budget Impact:

1010.090.6600-5315.00

Contract Services

Account Number

Fund

46080.7810

Cultural Arts Corridor

Project Number

Project Title

Budgeted Item? No

Current Budget \$ 30,000.00

Funds Obligated \$ 3,529.25

Current Balance **\$ 26,470.75**

Does item have a cost? Yes

Item Cost \$ 35,000.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 35,000.00

Remaining Budget **\$ 26,470.75**

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF SEPTEMBER 03, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Peter Nierengarten, Environmental Director

DATE: August 16, 2019

SUBJECT: Contract for Services with the Fayetteville Advertising and Promotion Commission to Manage the Development of Various Programming, Marketing, Management and Operations Aspects of the Cultural Arts Corridor Project and approval of a budget adjustment.

RECOMMENDATION:

Staff recommends a Contract for Services with the Fayetteville Advertising and Promotion Commission to manage the development of various programming, marketing, management and operations aspects of the Cultural Arts Corridor Project and approval of a budget adjustment.

BACKGROUND:

Nelson Byrd Woltz Landscape Architects (NBW) is nearing completion of the 75% Design Development drawings and documentation for the Fay Jones Woods and the streetscape design for West Ave. Construction in the Fay Jones Woods and streetscape is scheduled to begin in the spring of 2020. The construction of the West Ave. Civic Space is anticipated to be complete in 2022. Additionally, the City is in continued discussion and negotiations for the development of a replacement parking structure located within the corridor either on N. School Ave between Dickson and Spring Streets or on the Depot Lot on the northwest corner of Dickson St. and West Ave.

The timing and scheduling of the various sub projects within the CAC project will become of critical importance as the project moves into the construction phase. Ideally, the programming planning, marketing, and operations and maintenance planning would also be happening simultaneously. The forethought for how these spaces will be activated and utilized can be as important as the design and materials pallet used by the landscape architects during the physical design process. Examples of programming planning in the design process would include:

- The location of electrical outlets for temporary lighting, performance or art installations,
- The durability and long-term maintenance requirements of materials selected for site furnishings like benches and bike racks,
- Site considerations and locations for permanent or temporary sculpture pedestals, and
- Performance space site considerations such as ease of loading, adequate and convenient electrical and data utilities, and

- Smart Cities elements such as wifi, smart lighting, video security.

Additionally, the City and the Advertising & Promotion Commission needs to begin to plan for the programming of these spaces. It is a goal that both the Civic Space and the Fay Jones Woods be designed to support a wide variety of planned, structured events as well as being conducive to passive recreation. An entity will need to be identified, or a new one created, to oversee the intentional programming of the CAC, including the performance space in the Civic Plaza and the various spaces within the Fay Jones Woods. The wide variety of events envisioned to be held in the CAC (concerts, theatrical performances, visual arts festivals, crafts fairs, bicycle and running events, etc.) require operational expertise that exceeds current staff capabilities.

On June 18, 2019, the Fayetteville City Council passed Resolution 148-19 expressing the City's intent to work with the A&P to develop a scope of work for programming, marketing, operations and maintenance aspects of the project and the drafting of a contract for these services.

DISCUSSION:

Since passage of the resolution of intent, the Fayetteville Advertising and Promotion Commission staff began work on developing a scope of work for overseeing the planning, programming, and implementation of the CAC project. Through those discussions and further analysis, the A & P has identified D.R. Horne and Company to assist with this work.

The Advertising and Promotion Commission and D.R. Horne identified that a program setting process should be formulated in coordination with NBW as they work through the final design development process. They recommended the following steps be taken to develop a clear and comprehensive program of uses for inclusion as the detailed plans are further developed:

- Fay Jones Woods programing: Nature education programs, coordination with the Fayetteville Public Library, public art installations, intimate performance spaces.
- Civic Plaza programming: larger scale events, day-to-day uses that are highly active, public art installations, interactions with the privately developed buildings fronting on the civic plaza
- Architecture programming for Civic Plaza Buildings

In order to fill the gap in programming of these important spaces the A&P will be contracted to lead the following aspects of the project:

- Design – A&P will provide input to the NBW design process on the Woods and the Civic Plaza so that ensuing facilities address programming needs. The working relationship with NBW needs to be established in a timely manner, so that project schedules can be maintained.
- Civic Plaza Buildings – A&P will provide input on the development of the two buildings at either end of the Civic Plaza and should be involved in review of proposals from the developers.

- Programming Plan – A&P will lead development of programming plans for the Woods and the Civic Plaza. A&P does not need to be the ‘expert’ in each type of program that will be offered; instead, it can act as the organizing entity that sets the overall direction for programming with meaningful input from properly-positioned stakeholders and ensures coordination across the spectrum of program offerings.
- Branding & Marketing – A&P will lead development of branding for the CAC. Establishing a recognized brand, and the marketing of that brand, will influence importantly how the spaces within the CAC are thought of and used by the public. Development of the brand and marketing strategy needs to be carefully considered in the context of programming of the CAC
- It is a possibility that the best way to manage operations of these spaces after implementation of the CAC will be to form a new non-profit entity that is focused specifically on activation and management of the CAC. If this is the case, A&P can help define the purpose and structure of this organization, perhaps acting as an incubator in early stages until it reaches the capacity to function as a separate entity.
- Operations & Management – The City may perform some of the normal municipal maintenance functions within the CAC. However, management of certain facets of the Woods and Civic Plaza, especially specialty facilities related to programming, may be outside the scope of what the city is equipped to manage. As such, A&P needs to be heavily involved in the development of an Operations & Management Plan for the CAC and will need to structure a plan to have the capacity to provide an appropriate level of management services.

BUDGET/STAFF IMPACT:

The cost for this contract with the Fayetteville Advertising & Promotions Commission to manage the development of various programming, marketing, management and operations aspects of the Cultural Arts Corridor Project programming and planning services for the Cultural Arts Corridor Project is \$35,000. Funding for this contract is available in the Sustainability Extra Services account. A budget adjustment is needed to move this funding from the Extra Services account to the Cultural Arts Corridor Project budget.

Attachments:

Resolution 148-19

Contract with A&P Commission for Cultural Arts Corridor services

Budget Adjustment

CONTRACT

FOR THE PROVISION OF SERVICES FOR THE DEVELOPMENT OF VARIOUS PROGRAMMING, MARKETING, MANAGEMENT AND OPERATIONS ASPECTS OF THE CULUTAL ARTS CORRIDOR PROJECT TO BE PROVIDED BY THE FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION, INC.

THIS CONTRACT made and entered by and between the City of Fayetteville, Arkansas, an Arkansas municipal corporation ("City"), and the Fayetteville Advertising and Promotion Commission ("Commission") WITNESSESSTH:

IN CONSIDERATION of the mutual promises and obligations of the parties contained herein, and other good and valuable consideration, **the City of Fayetteville and the Fayetteville Advertising and Promotion Commission hereby agree** as follows:

1. The Commission agrees to coordinate with Nelson Byrd Woltz (NBW) Landscape Architects during the design process so that ensuing facilities address programming needs of the Cultural Arts Corridor. This includes wayfinding and interpretive elements as they are intimately tied to branding, marketing, and programming, which must all coalesce to create the identity of the project.
2. The Commission agrees to lead development of programming plans for the Cultural Arts Corridor. The Commission will act as the organizing and managing entity that sets the overall direction for programming with meaningful input from stakeholders
3. The Commission agrees to advise the City, NBW and the developers and architects selected during the design development process regarding the design and use of the two buildings located at the north and south ends of the West Avenue Civic Space.
4. The Commission agrees to lead the development of a branding and marketing strategy that is aligned with the programming context of the various public spaces within the Cultural Arts Corridor.
5. The Commission will work with stakeholders and the public to clarify governance needs for the new spaces, including how they are managed, operated, and funded.
6. The Commission agrees to assist and collaborate with the City in developing an Operations and Management Plan for the Cultural Arts Corridor.
7. To accomplish the goals of the City and the Commission, and as consideration for this agreement, City agrees to pay Commission the sum of \$35,000.00.
8. The term of this Contract shall be for six (6) months from the date of execution of this agreement. Either party may terminate this contract without penalty by giving the other party thirty (30) days written notice of its intent to terminate.

For purposes of notice required by this paragraph, notice shall be sent by the parties via first-class U.S. Mail to the addresses indicated below, or otherwise delivered to the administrative office of the other party:

To City: City of Fayetteville
Mayor's Office
113 W. Mountain St.
Fayetteville, AR 72701

To the Commission

The Fayetteville Advertising and Promotion Commission
c/o Executive Director
P.O. Box 4157
Fayetteville, AR 72702

9. The Fayetteville Advertising and Promotion Commission shall invoice the City monthly for services provided herein. Payments by Fayetteville shall be made within thirty (30) days of the receipt of the Commission's invoice.
10. Changes, modifications or amendments to the scope, price or fees dictated by this Contract shall not be allowed without a prior formal Contract amendment approved by the Mayor and the City Council of Fayetteville in advance of the change.
11. Freedom of Information Act: City contracts and documents prepared while performing city contractual work are subject to the Arkansas Freedom of Information Act (FOIA). If a FOIA request is presented to Fayetteville, the Commission will do everything possible to provide the documents in a prompt and timely manner as prescribed in the FOIA (Ark. Code Ann. § 25-19-101, *et seq.*). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.
12. Jurisdiction: Legal jurisdiction and venue for the resolution of any legal or equitable disputes arising under this Contract lie exclusively in the Circuit Court of Washington County, Arkansas.

**THE FAYETTEVILLE ADVERTISING
AND PROMOTION COMMISSION**

By: Molly Rawn
Molly Rawn, Executive Director

Date: August 19, 2019

WITNESS: [Signature]

**THE CITY OF FAYETTEVILLE
ARKANSAS**

By: _____
Lioneld Jordan, Mayor

Date: _____

ATTEST:

Sondra E. Smith, City Clerk-Treasurer



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 148-19

File Number: 2019-0347

CULTURAL ARTS CORRIDOR PROJECT:

A RESOLUTION TO EXPRESS THE INTENTION OF THE CITY COUNCIL TO WORK JOINTLY AND COOPERATIVELY WITH EXPERIENCE FAYETTEVILLE TO DEVELOP A SCOPE OF WORK AND CONTRACT FOR THE PROGRAMMING, MARKETING, OPERATIONS, AND MAINTENANCE OF THE CULTURAL ARTS CORRIDOR PUBLIC SPACES

WHEREAS, it is important to begin planning now for the long-term management and operation of these public spaces through a comprehensive and holistic approach; and

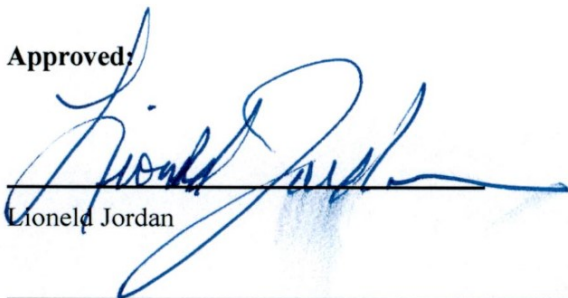
WHEREAS, funding for the planning, design, implementation and maintenance of the elements identified in the scope of work will be requested through a negotiated contract to be approved by the City Council at a future date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

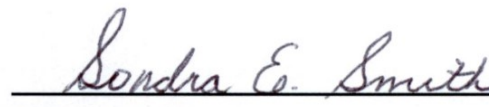
Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its intention to work closely and in unison with Experience Fayetteville to develop a scope of work and contract for the programming, marketing, operations, and maintenance of the Cultural Arts Corridor public spaces.

PASSED and APPROVED on 6/18/2019

Approved:


Lionel Jordan

Attest:


Sondra E. Smith





City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2019-0347

Agenda Date: 6/18/2019

Version: 1

Status: Agenda Ready

In Control: City Council Meeting

File Type: Resolution

Agenda Number: C. 7

CULTURAL ARTS CORRIDOR PROJECT:

A RESOLUTION TO EXPRESS THE INTENTION OF THE CITY COUNCIL TO WORK JOINTLY AND COOPERATIVELY WITH EXPERIENCE FAYETTEVILLE TO DEVELOP A SCOPE OF WORK AND CONTRACT FOR THE PROGRAMMING, MARKETING, OPERATIONS, AND MAINTENANCE OF THE CULTURAL ARTS CORRIDOR PUBLIC SPACES

WHEREAS, it is important to begin planning now for the long-term management and operation of these public spaces through a comprehensive and holistic approach; and

WHEREAS, funding for the planning, design, implementation and maintenance of the elements identified in the scope of work will be requested through a negotiated contract to be approved by the City Council at a future date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its intention to work closely and in unison with Experience Fayetteville to develop a scope of work and contract for the programming, marketing, operations, and maintenance of the Cultural Arts Corridor public spaces.

City of Fayetteville Staff Review Form

2019-0347

Legistar File ID

6/18/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Leif Olson

5/31/2019

SUSTAINABILITY/RESILIENCE (631)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Resolution of intent to work with Experience Fayetteville on developing a scope of work and contract for the creation and ultimate implementation of a programming, marketing, and operations and maintenance plan for the public spaces being designed and constructed in the Cultural Arts Corridor project.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	NA	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



CITY OF
FAYETTEVILLE
ARKANSAS

CITY COUNCIL MEMO

MEETING OF JUNE 18, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Peter Nierengarten, Environmental Director
Molly Rawn, Experience Fayetteville Executive Director

FROM: Leif Olson, Long Range Planner

DATE: May 29, 2019

SUBJECT: Resolution of intent to work with Experience Fayetteville on developing a scope of work and contract for the creation and ultimate implementation of a programming, marketing, and operations and maintenance plan for the public spaces being designed and constructed in the Cultural Arts Corridor project.

RECOMMENDATION:

Staff recommends approving a resolution for City staff to work with Experience Fayetteville to develop a programming, marketing, and operations and maintenance scope of work and contract for the public spaces being designed and constructed in the Cultural Arts Corridor project.

BACKGROUND:

The Cultural Arts Corridor project will be a transformative change for downtown Fayetteville. It will provide opportunities for a wide variety of programmed and un-programmed events, activities and learning opportunities. The Fay Jones Woodland will incorporate sustainable stormwater elements, woodland restoration with native plant materials, nature trails and viewing platforms, locations for acoustic performances, opportunities for visual arts, streambank restoration and informal gathering areas. The Civic Space and West Avenue improvements will provide opportunities for informal gatherings as well as programmed events and festivals.

The City's landscape design consultant, Nelson Byrd Woltz (NBW), is currently working on final design development and construction documents for the major components of the Cultural Arts Corridor project including; the Fay Jones Woodland, Razorback Regional Greenway, streetscape design for West Avenue, and the West Avenue Civic Space. The Design Development phase of the project is scheduled to be completed in the early fall of 2019. Construction is scheduled to begin in the first quarter of 2020 for the Fay Jones Woodland and the adjacent trails and streetscapes. Construction on the West Avenue Civic Space will begin in 2021 upon the completion of a new downtown parking deck and the Fay Jones Woodland and associated projects.

DISCUSSION:

It is important to begin planning now for the long-term management and operation of these public spaces through a comprehensive and holistic approach. This includes; the naming and marketing of the district, the development of the organizational assets for the programming and operations of the Fay Jones Woodland and the West Avenue Civic Space, and the development of a long-term operations and maintenance plan. NBW and City staff believe that the Design Development phase of the project this summer is the opportune time to include the entity charged with programming these spaces on the design team to provide insight and feedback as the project progresses.

This resolution will enable staff to begin working with Experience Fayetteville to develop a scope of work for the programming, marketing, operations and maintenance aspect of the project and the drafting of a contract for these services. Funding for the planning, design, implementation and maintenance of the elements identified in the scope of work will be requested through a negotiated contract to be approved by the City Council at a future date.

BUDGET/STAFF IMPACT:

None

Attachments: