



## Legislation Details (With Text)

**File #:** 23-0069 **Version:** 1

**Type:** Resolution **Status:** Adopted

**File created:** 1/17/2023 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

**On agenda:** 2/13/2023 **Final action:** 2/13/2023

**Title:** A resolution approving a proposed Contract between the City and County of Denver and Ball-Nogues Design Studio, LLC, concerning designing, fabricating and installing public artwork located in Concourse A-West expansion at Denver International Airport.  
Approves a contract with Ball-Nogues Design Studio, LLC for \$2,499,474 and three years, plus two 1-year options to extend, to design, fabricate and install a sculpture, as part of the city's public art program, located in Concourse A-West expansion at Denver International Airport in Council District 11 (PLANE-202264219). The last regularly scheduled Council meeting within the 30-day review period is on 3-6-2023. The Committee approved filing this item at its meeting on 2-1-2023.

**Sponsors:**

**Indexes:** Anne Wallace

**Code sections:**

**Attachments:** 1. RR23-0069\_DEN Ordinance Resolution Request - Benjamin Ball - Concourse A-West, 2. RR23-0069\_DEN City Council Summary Memo - Benjamin Ball - Concourse A-West, 3. DEN Concourse Expansion Art - Presentation, 4. 23-0069 Contract - Ball-Nogues Design Studio.pdf, 5. 23-0069 Filed Resolution\_Ball-Nogues Design Studio LLC - 202264219.pdf, 6. 23-0069 Filed Resolution\_Ball-Nogues Design Studio LLC, 7. 23-0069 - signed

Date	Ver.	Action By	Action	Result
2/13/2023	1	Council President	signed	
2/13/2023	1	City Council	adopted	Pass
2/1/2023	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved for filing	Pass

## Contract Request Template (Contracts; IGAs; Leases)

**Date Submitted: 1-30-2023**

**Requesting Agency: Denver International Airport**  
**Division:**

**Subject Matter Expert Name: Stacey Stegman**  
**Email Address: Stacey.Stegman@flydenver.com**  
**Phone Number:**

### Item Title & Description:

*(Do not delete the following instructions)*

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any*

time delete the red "title" or "body" markers from this template.

**A resolution approving a proposed Contract between the City and County of Denver and Ball-Nogues Design Studio, LLC, concerning designing, fabricating and installing public artwork located in Concourse A-West expansion at Denver International Airport.**

Approves a contract with Ball-Nogues Design Studio, LLC for \$2,499,474 and three years, plus two 1-year options to extend, to design, fabricate and install a sculpture, as part of the city's public art program, located in Concourse A-West expansion at Denver International Airport in Council District 11 (PLANE-202264219). The last regularly scheduled Council meeting within the 30-day review period is on 3-6-2023. The Committee approved filing this item at its meeting on 2-1-2023.

**Affected Council District(s) or citywide? 11**

**Contract Control Number:** PLANE-202264219

**Vendor/Contractor Name (including any "DBA"):** Ball-Nogues Design Studio, LLC

**Type and Scope of services to be performed:**

Artist Benjamin Ball who currently resides in Los Angeles, CA, but originally is from Colorado will create a large-scale suspended artwork to be placed within the circulation spaces of the newly constructed Concourse A-West expansion at DEN. The artwork will be created from stainless-steel ball chain and enamel paint titled, *Dance the Sky Softly*. The installation will be approx. be 512' L x 50' W x 16' H and is inspired by the light, form and colors of the Colorado Rockies. Series of catenary curves of ball chain will cascade throughout the ceilings creating moiré patterns that oscillate in color to create cloud like forms.

A community-based selection panel made up of community representatives, civic leaders, arts and cultural professionals has selected artist Benjamin Ball of Los Angeles, CA, to create a large-scale suspended sculpture to be placed within the circulation spaces of the newly constructed Concourse A-West expansion at Denver International Airport (DEN). The project is part of the City's Public Art Program and procured through 1%-For-Art funds as part of the Concourse Expansion Program at DEN.

The artwork will be created from stainless-steel ball chain and enamel paint titled, *Dance the Sky Softly*. The installation will be approx. be 512' L x 50' W x 16' H and is inspired by the light, form and colors of the Colorado Rockies. Series of catenary curves of ball chain will cascade throughout the ceilings creating moiré patterns that oscillate in color to create cloud like forms.

**Scope of work:**

1. Artist shall perform all services and furnish all supplies, materials, and equipment as necessary for the conception and design of the artwork, including but not limited to, payments for all necessary taxes, permits, insurance, small tools, any subconsultants, rental equipment, and all other items incidental to producing a complete and acceptable artwork.
2. The work includes all design of the complete artwork including but not limited to associated foundations, mounting brackets or devices, electronic components, video components and all other miscellaneous components necessary to complete the fabrication and installation of the artwork.
3. Artist shall determine the artistic expression, scope, design, color, size, material and texture of the Work, subject to review and acceptance by the City/ Denver International Airport as defined by the selected concept.

4. Artist shall provide a plaque at the designed site, according to the specifications set forth by DEN Arts. Plaque specifications will be determined during the Final Design phase.
5. Artist shall be responsible for the payment of all storage, transportation or shipping of the artwork to the site.
6. The Artist shall, if applicable, comply with all the City and County of Denver Department of Transportation and Infrastructure, Standard Specifications for Construction ("Yellow Book") and permitting or engineering requirements of Denver International Airport.
7. Upon final acceptance and completion of the artwork, the artist will appear for a public appearance and final dedication event.

**Location (if applicable): DEN**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts): N/A**

This project is covered under D.R.M.C. Chapter 28 Article V. In accordance with the D.R.M.C., DSBO has conducted an analysis examining the scope of work for this project, cost estimate and the existing availability of certified firms to perform the specified services as stated in the business utilization request form. DSBO has established that no DSBO program will apply.

**Are WBE/MBE/DBE goals met (if applicable)?**

**Is the contract new/a renewal/extension or amendment?**

New

**Was this contractor selected by competitive process or sole source?**

Competitive

**For New contracts**

**Term of initial contract:**

3 years

**Options for Renewal:**

How many renewals (i.e. up to 2 renewals)? 2

Term of any renewals (i.e. 1 year each): 1 year

**Cost of initial contract term:**

\$2,499,474.

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:**

**For Amendments/Renewals Extensions:**

**Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?**

***If length changing***

**What was the length of the term of the original contract?**

**What is the length of the extension/renewal?**

**What is the revised total term of the contract?**

***If cost changing***

**What was the original value of the entire contract prior to this proposed change?**

**What is the value of the proposed change?**

**What is the new/revised total value including change?**

***If terms changing***

**Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)**