

# San Francisco Arts Commission

## Memorandum

**To:** Visual Arts Committee

**CC:**

**From:** Susan Pontious

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**Date:** 4/2/03

**Re:** Revision of PAP Guidelines

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The Public Art Program has begun a program assessment for the purposes of making our program operate more effectively, both in terms of trying to reduce our administrative burden and improve final artistic product.

One change that the staff recommends is to streamline the selection process for projects with project budgets under \$50,000. To that end, the staff proposes the attached revisions to our guidelines.

In summary, the changes are as follows:

Section 1.28 and 4.3.2.3: Clearly define how “project budget” is calculated and what costs are included.

Section 4.6, Paragraph 3, “Limited Competition”: Replaces \$25,000 with \$50,000.

Section 4.6.7: Replaces “Art” Budget with “Project” Budget

Section 4.6.8: This section is replaced in its entirety; see attached draft language.

- 1.24 **Implementation Budget:** All costs associated with project implementation exclusive of design costs, including artist and consultant fees, engineering/architectural services, taxes and permit fees. The implementation budget includes fabrication, transportation, installation, insurance, bonding, related labor and materials costs.
- 1.25 **Maquette Honorarium:** Payment made to each public art project finalist for a proposal maquette.
- 1.26 **Monuments:** Structures, sculpture or other objects erected to commemorate a person or an event.
- 1.27 **Plaque:** For the purpose of this document "plaque" refers to identification signage affixed on or near an artwork that identifies the title, artist, media, etc.
- 1.28 **Project Budget:** Art enrichment funds exclusive of Arts Commission administrative fee and maintenance allocation.
- 1.29 **Proposal Maquette:** A preliminary design proposal in the form of drawings and/or models illustrating a proposed public art project typically requested from a limited number of finalists as a means of providing the basis for final artist selection.
- 1.30 **Public Art:** See Art Enrichment.
- 1.31 **Public Art Program:** The Arts Commission program that administers the purchase and/or commissioning of artworks acquired as a result of the Art Enrichment Ordinance. For the purposes of this document Public Art Program and Art Enrichment Program are interchangeable.
- 1.32 **Public Art Project Manager (PAPM):** For the purposes of this document, Public Art Project Manager (PAPM) will refer specifically to the Arts Commission staff members who are assigned to manage specific public art projects for the Commission's public art program.
- 1.33 **Selection Panel:** An ad hoc panel whose charge is to review potential candidates and/or art proposals and make a recommendation to the Arts Commission for the selection of an artist(s) and/or art proposal(s).
- 1.34 **Visual Arts Committee (VAC):** The sub-committee of the Arts Commission that reviews and approves all programs, activities, acquisitions, design proposals and public art projects related to the visual arts within the jurisdictional purview of the Arts Commission.

**2 CHARTER RESPONSIBILITIES OF THE SAN FRANCISCO ARTS COMMISSION:** Charter Section: 5.103 assigns the following powers, responsibilities and duties to the Arts Commission relative to the Civic Art Collection: *(See Appendix A for full text)*

- 2.1 Approve the designs for all public structures, private structure which extend over or upon any public property and yards, courts, setbacks or usable open spaces which are an integral part of any such structures.
- 2.2 Approve the design and location of all works of art before they are acquired, transferred or sold by the City and County, or are placed upon or removed from City and County property, or are altered in any way; maintain and keep and inventory of works of art owned by the City and County.

4.3.2.3 Art Project Budget: In general, any expense which is directly related to the artist selection and artwork design, fabrication and installation of the artwork, including but not limited to the following:

- Artist's fee for professional design, execution and installation of the art work(s) as described in the artist's budget, including any and all labor, materials, bonding, permits, or any other costs directly related to the implementation of the art project.
- Frames, mattes, pedestals, and devices necessary for the security, preservation and display of the artwork.
- Competition and selection panel expenses, including postage, photocopies and printing, panel refreshments and honoraria for selection panel jurors and artist finalists for public art commissions.
- Public presentation expenses.
- Project-related local field, long distance travel and messenger expenses.
- Project-related photography.
- Identification plaque installed per Commission specifications.
- Fire retardant and/or graffiti resistant treatments or other sealers or coatings as required.
- Insurance as required by the city.
- Plumbing, electrical and mechanical devices or equipment which are an integral part of the artwork.
- Consultant fees for other costs relative to the art project, such as architectural fees, engineering, cost estimates, lighting design, and other services as identified and as approved by the Arts Commission.
- Design and/or materials modifications to the capital improvement project necessitated by the art project. In the case where these changes/modifications increase the base cost of the capital improvement project, the art project will be credited with the base cost, and only the premium incurred by the art project will be charged to the art budget; i.e., if the original building material in an area was estimated to be \$20 a sq. ft., and the art project calls for an upgrade of material to \$30 a sq. ft., only the *difference* of \$10 a sq. ft. may be charged to the art project.
- Sales Tax (when applicable), and fees for required licenses and permits.
- Audio and video tapes or any other educational or informational materials necessary to help make the artwork programmatically accessible to the disabled and other members of the public.
- Any other expenses as deemed appropriate by the Arts Commission for the design, fabrication, transportation, installation and public accessibility of the artwork.

4.3.2.3.1 Exclusions: In general, the portion of capital appropriation reserved for art enrichment may not be expended for the following:

- Art objects that are mass produced and of standard design. However, limited editions signed by the artist of original prints, cast sculpture, photographs, etc., may be included.
- Decorative, ornamental, or functional elements (unless for the security of the work or to ensure public safety) not designed by the artist.
- Expenses related to the ongoing operation of the art work such as electrical, water or mechanical service required to activate the work and utility costs.

#### 4.4 Eligibility:

4.4.1 Eligible Artwork: For the purposes of these guidelines, all forms of original creations (or limited editions) of visual art are eligible for acquisition through the Public Art Program.

also strive for diversity in style, scale, media and numbers of artists represented. There shall be encouragement of exploratory types of work as well as established art forms.

- Feasibility: Proposed objects shall be evaluated relative to their feasibility and convincing evidence of the artist's ability to successfully complete the work as proposed. Factors to be considered include, but are not limited to: project budget, timeline, artist's experience, soundness of materials, city approval requirements, and level of community support.
- Duplication: To assure that the artwork will not be duplicated, the artist will be asked to warrant that the work is unique and an edition of one unless stated to the contrary in the contract.

4.5.3 Site Criteria: Prior to selecting a site for an artwork, whether purchased or commissioned, the Visual Arts Committee, together with the Selection Committee shall take into consideration the following factors:

- Visibility and public access
- Public Safety
- Interior and Exterior traffic patterns
- Relationship of proposed artwork to existing or future architectural features, natural features and urban design.
- Function of the facility
- Facility users and surrounding community and interaction of users and community members with proposed artwork
- Future development plans for area
- Overall program goal or concept
- Landscape design
- Relationship of proposed artwork to existing art works within the site vicinity
- Environmental impact
- Public accessibility of the artwork
- Social context of artwork (intended use of the work, if any)

4.6 **Selection Methods**: Art or Artists may be selected by the following means:

- Direct Purchase: An existing artwork is purchased
- Open Competition: The commission is advertised and project guidelines published. All professional artists may participate with possible limitations based upon geographical or other eligibility criteria. Upon review of materials, a single artist may be selected, or a limited number of finalists will be paid an honorarium to prepare a specific site proposal and/or attend an interview with the selection panel.
- ★ • Limited Competition: Artists are considered for a commission by invitation only. Names of artists to be invited to apply are generated by PAPMs and members of the selection panel and Visual Arts Committee. Of those considered, finalist may be asked to submit a proposal in the form of a drawing of maquette, and/or attend an interview with the selection panel. A limited competition is the preferred selection method for all projects with project budgets under ~~\$25,000~~ \$50,000.

4.6.1 Artist Recruitment: The PAPM develops a Recruitment Plan to be submitted to the Human Rights Commission and the project RFQ (Request for Qualifications) or RFP (Request for Proposals).

4.6.2 The RFQ or RFP: Information in RFQ/RFP includes, but is not limited to the following:

- Project description and goals
- Project parameters and scope-of-work

specific site proposal, or be scheduled for an interview session with the panel prior to the panel making a final recommendation.

- If the Selection Panel selects finalists for further review, the same panel will reconvene for this review.

4.6.5 Identification and Recruitment of Panelists: PAPMs will identify and recruit selection panelists. Individuals interested in serving as selection panelists may be asked to submit a resume and references. Community representatives will be identified in consultation with the Client Agency and community organizations in the vicinity of the project.

4.6.6 Panelist Compensation: Arts Commissioners or other city agency commissioners and/or employees who serve as panelist members will do so without compensation. Compensation will be paid to other panel members at the rate of \$125 a day, or \$65 a half-day. Panelists will also be reimbursed for the cost of travel and parking.

4.6.7 Selection Panels for Projects with Art Project Budgets over \$50,000: As a general rule, selection panels will have the following representation:

- Three (3) arts professionals of recognized professional stature. When possible, one should be a representative of the community or constituency effected by the project.
- One (1) community member, who may be an arts professional.
- One (1) Representative of the Arts Commission, (usually a member of the Visual Arts Committee).
- One (1) Representative of the Client Agency.
- Representative of the Design Team, (such as the project architect); optional at the discretion of the PAM.

~~4.6.8 Selection Panels for Projects under \$50,000: **Replace entire section w/new language**  
For small projects with art budgets under \$50,000, modified versions of the above process may be employed.~~

- ~~• Applicants will be reviewed by the PAM, a representative of the Client Agency, and a Guest Curator to develop a short list of qualified applicants. This short list will be presented to the Visual Arts Committee for final selection of either an individual artist or finalist for a project.~~
- ~~• Another method that may be used, particularly when there are a number of smaller, community based projects, is to ask a selection panel comprised of arts professionals to review the applications and narrow the applicant list down to a group of qualified artists. The community and client agency is then asked to develop a community based panel to select the final artist from the pre-screened group of qualified artists.~~

~~4.6.9 Selection Process for Projects under \$25,000: For projects with art budgets of \$25,00 or less, the PAM may opt to dispense with public advertisement and use of a selection panel. The PAM will develop a short list of artists who will be invited to apply. The PAM and a representative of the client agency will review applicants and make a recommendation for selection to the Visual Arts Committee for approval.~~

4.7 **Recourse:** At any stage, the selection of an artist or project proposal may be interrupted by a majority vote of the appropriate body. If this occurs, the following options are available.

4.7.1 Panel:

- Ask artist for clarification or redesign of proposal.
- Select another artist
- Make no selection

4.6.8

Selection Process for Projects with Project Budgets under \$50,000:

For projects with project budgets under \$50,000, the PAPM may do one or more of the following in any combination:

- Dispense with public advertisement in favor of developing a short list of artists for consideration.
- Use an abbreviated Selection Panel consisting of a representative of the client agency, a guest arts professional and Arts Commission representative. The Commission representative may be a commissioner, or another member of the Public Art Staff, including the PAPM.
- In lieu of forming a Selection Panel, the PAPM may choose to make a direct recommendation to the Visual Arts Committee of either an individual artist, or present a short list of artists to the Committee from which the Committee will make a selection.
- In the case where there are a number of smaller, community based projects, the PAPM may ask a selection panel comprised of arts professionals to review applications and narrow the applicant list down to a group of qualified artists. A second panel, including community members and arts professionals may be convened to select the final artist from the previously selected pre-screened group of qualified artists. There must be at least one arts sitting on the panel.