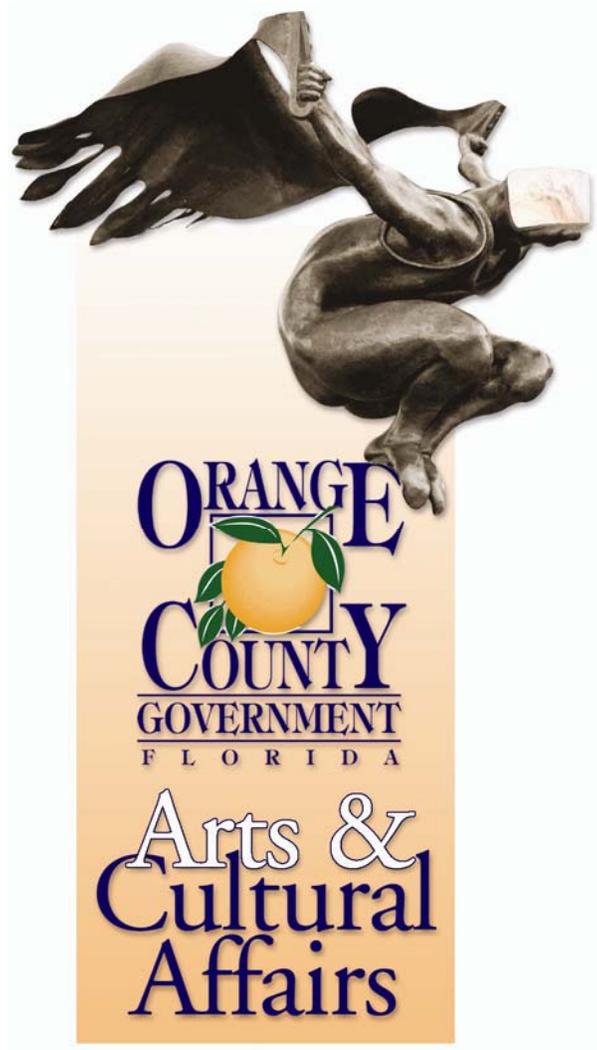


ORANGE COUNTY
ARTS & CULTURAL AFFAIRS ADVISORY COUNCIL

PUBLIC ART REVIEW BOARD



PUBLIC ART PROGRAM GUIDELINES

TABLE OF CONTENTS

INTRODUCTION	1
PUBLIC ART FUND	6
PUBLIC ART ACTION PLAN	7
ARTIST SELECTION PROCESS	9
CONTRACTING WITH AN ARTIST	13
DESIGN, FABRICATION AND INSTALLATION PROCESS	17
PUBLIC PARTICIPATION	20
PORTABLE WORKS COLLECTION	21
RECORDKEEPING, CATALOGING, AND MAINTENANCE	23
DEACCESSION	25
GIFTS	27
WORKS ON LOAN	29
APPENDIX A: ART SELECTION PLAN	30
APPENDIX B: ARTIST FEE AND FEE SCALES	33
APPENDIX C: CATALOG AND MAINTENANCE RECORD	34

INTRODUCTION

History of the Arts in Orange County

Orange County has no mandated “percent for art” however its ordinance indicates that “an appropriate amount” of CIP budgets shall be spent on art. As of 2005, only three buildings have had a significant public art component: the Convention Center, the Orange County Courthouse and the County Administration Building. The Convention Center houses the largest pieces of art and the Courthouse houses the largest number of works of art.

Arts & Cultural Affairs Advisory Council

The Arts & Cultural Affairs Advisory Council (ACAAC) was formed in 2002 as a result of Resolution 2001-M-30 of the Orange County Board of County Commissioners. The resolution came after hearing the recommendations of an Arts & Cultural Affairs Task Force that met in 2000 and 2001. One of the committees the resolution asked the ACAAC to form was a committee that dealt with public art. The ACAAC was also given the authorization to identify and recommend projects for funding from the general fund.

The mission of the Arts & Cultural Affairs Advisory Council is to elevate Central Florida’s arts and culture to a status befitting a world-class community.

Public Art Review Board

The Public Art Review Board (PARB) began as an ad hoc committee in 2003. Its first project was the establishment of a rotating exhibition in the Board of County Commissioner’s chamber. A 2004 resolution of the Arts & Cultural Affairs Advisory Council formally established the PARB.

Membership on the Board consists of eleven members including two members appointed from the Advisory Council. The remaining five are representatives from among the following categories:

- Visual Arts Organization
- Urban Planning
- Other Public Art Program
- Architecture
- Business Leadership

Nominations for appointment are submitted to the Advisory Council Chairperson who reviews such nominations and makes appointments to the Board. The Advisory Council confirms all appointments. The Chairperson of the Advisory Council designates the Chairperson of the Board.

Members hold a one-year term which shall end on June 30th. A vacancy occurring during a term shall be filled, for the remainder of the unexpired term, by the Chairperson of the PARB. Each Board member shall hold office until a successor has been appointed.

The PARB shall have the following duties and responsibilities:

- Create a process for selecting art for CIP projects in the County.
- Create a process for selecting art for the “Art in the Chambers” program.
- Evaluate art and artists for selection for the appropriate program.

Mission Statement: The mission of the Public Art Review Board is to include public art in Orange County, for the benefit and education of its citizens while enhancing the visual environment through a diversity of styles, content and artists. The program provides access to world-class art in public spaces.

Program Staff: The program staff operates the Program, and with it, a wide range of day-to-day responsibilities detailed herein. Broad areas of responsibility include:

- Organizing Public Art Review Board Meetings
- Communicating with County Departments
- Developing the Public Art Action Plan
- Implementing selected projects
- Organizing and ensuring smooth operation in the following areas for each project:
 - Artist Selection Process
 - Public Participation
 - Project Management
- Overseeing the County Portable Works Collection
- Coordinating efforts with art in private development

OCPAP’s staff currently consists of one full-time administrator and a half-time Public Art Coordinator. As the Program and project budgets grow, staffing needs should be reevaluated. Program operating costs include staff salaries, telephone, postage, supplies and equipment. These are covered by direct line items in the County budget.

County Departments: Establishing a good working relationship with each County Department is essential for a successful public art program. Toward this end, it is important that each department designate a "point person" as a liaison to the Program. Other staff members will get involved as projects develop. The duties of the liaison shall be:

- To request public art funds for eligible CIP projects
- To work with the OCPAP to identify artwork scope
- To serve on Selection Panels
- To facilitate artist projects
- To provide information, involve and brief relevant staff

County Commission: The County Commission will contribute to the Program by:

- Nominating one member per Commissioner to serve on the Arts & Cultural Affairs Advisory Council
- Approving art and artists' or consultants' contracts and appropriations

County Mayor: The Mayor will contribute to the Program by:

- Nominating one member to serve on the Arts & Cultural Affairs Advisory Council
- Signing off on Public Art Action Plan
- Signing off on all deaccession, relocation and/or requests for removal of artwork
- Signing off on artist contracts and other appropriations

Orange County Arts & Cultural Affairs

All public art issues within Orange County Government and relating to the Orange County Public Art Program are handled by the Arts & Cultural Affairs Office located at 450 E South Street, Suite 345. The Arts & Cultural Affairs staff will contribute to the Program by:

- Serving as liaison to the Arts & Cultural Affairs Advisory Council and as staff to the Public Art Review Board
- Producing the annual Public Art Action Plan
- Selecting members of the Public Art Selection Panels
- Overseeing the entire process related to the selection, placement, maintenance, deaccession, relocation and/or removal of artwork

Public Art Program Guidelines

Purpose: These guidelines map out the implementation of the Orange County Public Art Program (“OCPAP”) as administered by the Orange County Arts & Cultural Affairs Advisory Council’s Public Art Review Board.

Mission: To promote the involvement of artwork and artists in projects throughout the County which enhance the physical environment and celebrate Orange County's unique character and identity.

Goals: Goals for the OCPAP include:

- Overseeing the County's public art collection
- Enhancing the physical environment of Orange County with artworks of the highest level of quality and suitability for the site
- Serving as the coordinating body for all public art and memorial projects on County property
- Building partnerships with the private sector, non-profit and community groups that connect the OCPAP's projects to the life of the County
- Encouraging participation by artists based in the County and the Central Florida region
- Serving as an active source of information about public art.

Conclusion: Managing a public art collection is a great responsibility that requires consistent teamwork and collaboration. Orange County has made great headway toward building an effective and efficient program. This ongoing commitment must be embraced by all participants.

PUBLIC ART FUND

A Public Art Fund (PAF) account shall be set up as a "Trust in Agency" fund to receive funds appropriated for the OCPAP. This includes funds from County appropriations and all funds donated to the County by private developers or other sources. The PAF shall be used for the selection, commissioning, acquisition, installation, maintenance, administration and insurance of works of art as well as for publicity and education pertaining to public art.

Calculation: Current plans call for 1% of the construction cost of a County Capital Improvement Project (CIP) as bid, contracted and accepted by the County, will be deposited into the PAF account. Payment to the PAF account will be made at the approval of the project.

Expenditures: Through the Arts & Cultural Affairs Advisory Council, the Public Art Review Board recommends expenditures to the Mayor. Final appropriations are approved by the County Commission. PAF expenditures may be used for the following:

- Acquisition of artwork through commission or purchase
- Direct costs incurred in the relocation or conservation of an artwork owned by the County
- Site preparation
- Collection management and maintenance
- Program and project planning
- Artist and artwork selection-related expenses, including proposal honoraria

Public Art Fund expenditures may *not* be spent for the following:

- Fees for the project architect, engineer, or any professional not contracted by the artist, or by the conservator, if the project entails conservation
- Construction costs not associated with the artwork

This breakdown is suggested to guide the PARB in making funding decisions, recognizing that special needs and budget fluctuations will affect plans. In determining the use of the fund, County capital contributions to the PAF may be distributed as follows:

- Up to 15% of total funds for collection management, conservation and maintenance, and education;
- Up to 85% of funds for new acquisition through commission or purchase, a portion of which may be used for community/artist-initiated projects.

Non-County Sources: The OCPAP may apply to other sources for funding of specific projects. Funds received from other non-County sources will be deposited in the PAF. It is anticipated that funds from grants or other non-County sources will have restricted uses. Areas of non-County sources of funding to explore for the future are eligible public and private funds including some bonds and Community Block Development Grants where applicable.

PUBLIC ART ACTION PLAN

All CIP projects that meet eligibility requirements contribute to the Public Art Fund. However, not all sites may receive artwork. Each year the Orange County Arts & Cultural Affairs Advisory Council Administrator (hereinafter referred to as “Administrator”) shall prepare a Public Art Action Plan that identifies prospective projects and the status of ongoing projects. Developing this plan balances many factors such as the activity of County departments and the public impact of specific projects. It also requires reporting from the budget to clarify the amounts contributed to the Public Art Fund.

Definition of Art: Art (artwork) is defined as a tangible creation by an artist exhibiting the highest quality of skill and aesthetic principles, including but not limited to paintings, sculptures, stained glass, engravings, carving, frescos, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, monuments and fountains.

Definition of a CIP Project: A CIP Project (a.k.a. Capital Improvement Project) is any project paid for wholly or in part by Orange County regardless of the source of the moneys to construct, remodel or reconstruct any public buildings, decorative or commemorative structures, parking facilities and parks or any portion of any of the aforesaid belonging to the County within its geographical boundaries as they now exist or shall exist in the future.

Developing the Public Art Action Plan: The development of the Public Art Action Plan should coincide with capital project planning and budgeting. This process is intended to streamline project identification, but does not preclude introducing projects at other points during the year.

In April, the Administrator reminds each County department of public art eligibility for projects for which they are requesting funds. During this time, the Administrator gathers information on top priority projects from all departments. In August, when the budget is being finalized, the Administrator meets with the Contract Administrator at the Department of Public Works to review the list of projects that are funded for design and construction.

Shortly after the budget is approved, the Administrator shall submit a Public Art Action Plan (“PAAP”) to the Public Art Review Board. This plan will be based on the status of the Public Art Fund as allocated through the capital budget. The PAAP shall identify:

- Future projects that require art selection panels during the coming year
- Budgets for prospective projects
- Non-County projects to be administered by the OCPAP - either private development or projects selected through a proposal process
- Status of ongoing projects.

The Public Art Review Board will review the PAAP to select new projects for the coming year. The selection will be based on impact, opportunity, distribution and administrative capacity. Once accepted by the Public Art Review Board, the PAAP shall be submitted to the Mayor and then the County Commission for approval.

Priorities Impacting OCPAP Projects:

- Projects where the artwork can have the greatest positive impact on the site or surrounding community
- Projects in the early phases of design that will allow the artwork to be fully integrated with the project
- Projects with pledges of strong community and/or private partnership
- Widespread distribution of projects in neighborhoods throughout the County
- Equitable distribution among County agencies, based on the portion of money contributed to the Public Art Fund
- Administrative capacity of the PARB to handle the project effectively.

Ways for Community Groups and Artists to Initiate Projects: One of the advantages of the Public Art Fund is that it is not necessary that all public art projects be linked to a County capital project. There are places in the County that merit projects where there is no immediate construction planned. As resources permit, a designated amount may be allocated from the Public Art Fund for such projects and a process for groups/artists to initiate projects be implemented.

To encourage projects initiated by artists or community groups, and to ensure fair and uniform procedures for review and support of such projects, the Public Art Program may issue a call for "Open Proposals" on a biannual basis. Funds placed in the Public Art Fund and not spent on individual CIP projects will be made available for this program. The Administrator will circulate a call for proposals detailing the theme for each funding round, the budgets available and the criteria for selection. Proposals may be for either temporary or permanent projects. Potential themes for this program could encompass a wide range.

Media Contact: All public information and media contacts shall be coordinated and issued by the Administrator with the cooperation of the County Communications Manager's Office.

ARTIST SELECTION PROCESS

For each CIP identified, the Public Art Review Board will determine the budget, type of artwork, the number of artworks or projects, the method of selection honoraria and other expenses related to the artwork selection process. Prior to convening a Selection Panel, the Administrator will notify the Public Art Review Board.

Acquisition Methods: Categories of artwork to be selected include:

- Commission
- Purchase
- Conservation
- Re-siting existing work from the collection

Methods of Artist Selection:

- Open Competition - opportunity is open to any professional artist meeting eligibility requirements
- Limited Competition - artists are invited to submit their qualifications to the Public Art Review Board, or through a recommendation process
- Direct Selection - artist is chosen directly by the Selection Panel
- Hybrid Competition - a call to artists is sent to a specific (often local) mailing list and other qualified artists are invited to submit their qualifications according to the call.

Selection Panel Composition: Art Selection Panels are ad-hoc panels assembled to select an artist or artwork. The number of panelists and composition may vary depending on size, location, use and complexity of the project. In general, panels will have a minimum of three voting members and a maximum of nine, striving to appoint an uneven number. Composition of the Selection Panel may include:

Voting Members

- One Representative from each County department(s) occupying the facility
- County Construction Administrator
- Project Design Architect
- Artist or arts professional
- Neighborhood/Community representative
- Public Art Review Board Member(s)

Non-Voting Members

- Administrator or a Public Art Review Board member shall serve as a non-voting panel Chair.
- Advisors may be invited who represent community groups or other interested parties

To expedite the identification of panelists, the Administrator will maintain a list of qualified panelists with their resumes. Panelists should be qualified in several of the following areas:

- Experience implementing public art projects

- Knowledge of public art trends and artists
- Knowledge of local, regional and national artists
- Experience and interest in working with Orange County's communities
- Ability to assess the creativity, design skills and problem-solving abilities of the artists under review
- Knowledge of materials and methods of fabrication
- Ability to represent neighborhood where the project is located
- Ability to work cooperatively and effectively in a panel process

Selection Panels should be assembled with cultural, racial and gender diversity as a criteria. Panelists with a commercial interest in art or artists such as agents or dealers should not serve as panelists. Conflict of interest statements will be provided to all panelists prior to serving on the panel. Panelists will agree to conduct their work in a fair manner and to be statesmanlike in the face of criticism.

Modified Selection Panel Composition: For some projects, such as those with public art budgets of \$20,000 or less, or where time is of the essence, the Public Art Review Board will have the option to select one or more artists through direct selection, develop a short list of qualified artists to present to a Selection Panel, or form a small Selection Panel of three people.

Selection Panel Responsibilities: The Selection Panel's responsibilities include recommendation of artist(s) to be commissioned or artworks to be purchased, or a recommendation regarding the feasibility of artwork to be restored, discussion of the artwork's siting and concept, and appropriateness for the location. In making its artistic recommendation, the Selection Panel will consider the criteria below and may determine more specific criteria as the need arises, such as:

- Site, the facility, its architecture and function
- Location and the communities it serves
- Quality of the artist's previous work or artist's proposal, and its appropriateness for the site
- Potential for vandalism
- Durability of materials
- Artist's ability to execute the commission

Artist Recruitment and Outreach: For projects designated for open competition, the Administrator will develop a Request for Qualifications ("RFQ" or "Call to Artists") that contains the following information:

- Project description, goals, site description, facility's purpose, public limitations and any other limitations
- Potential scope of work for artist, site options and number of artists to be commissioned
- Application procedures and materials requested
- Selection procedures and schedule
- Selection criteria for artists and artwork
- Project budget and schedule
- Eligibility

The Administrator will develop a strategy to reach a broad, diverse constituency. To minimize time and postage, the grouping of calls into a periodic publication will be utilized. Calls will be posted on the Arts & Cultural Affairs web site and listed in other relevant newsletters, web sites and publications.

Art Selection Budget: Some of the expenses anticipated through the art selection process are listed below. Currently, these expenses are covered by the Public Art Fund:

- Call to Artists: printing and mailing
- Other related expenses such as duplication or return shipping of models
- Artists' proposal honoraria and travel
- Non-County employee panelists' honoraria and travel expenses

Panel Meetings: The Administrator acts as the Chair of the Selection Panel, unless otherwise determined, and conducts all meetings.

The number of meetings varies according to the complexity of projects. Meeting sequencing will depend on the requirements of the specific project. Prior to each meeting, the Administrator (and/or staff) shall prepare agendas (and visual presentations if needed). They also prepare and distribute minutes of each meeting. When appropriate, panelist site visits will be arranged. At each meeting, the Department and/or institution occupying the facility is present to discuss its concerns and representatives from the community have an opportunity to discuss concerns from their perspectives.

At the initial meeting, the Selection Panel reviews the artwork scope, potential sites, selection criteria, and any other requirements. The County Construction Administrator presents the facility, bringing any plans, renderings, models or other visual representations that have been completed to date. Panelists and advisors discuss the project scope, site and concept as well as concerns raised by the community, departments or designer.

The Selection Panel shall review digital images of artists who have submitted qualifications for the project. Through a series of votes, the panel shall narrow the pool to finalists. Depending on the number of artists, several meetings may be necessary. Finalists may be invited to prepare proposals and/or attend an artist interview meeting with the Selection Panel.

Artist Interview: At the artist interview meeting, artists (or in certain circumstances, their representatives) will present their previous work, their approach to public art and initial ideas for the site. If proposals are required, then the proposal shall be presented as well.

Honorarium: Artists may be paid an Honorarium (see Appendix B for proposed amounts) for preparing a proposal and/or attending an artist interview meeting.

Proposal: The artist may be asked, by the Selection Panel, to prepare a proposal describing the artist's vision for the artwork. This proposal should include:

- Visual elements (such as sketches, photos, and/or models)
- A narrative describing the purpose, objective and intent of the artwork
- The construction materials and methods employed to construct and install the artwork
- A preliminary cost estimate identifying the design, fabrication and installation costs

Public Comment: After the artist interviews, the Panel will coordinate with the Arts & Cultural Affairs Office to conduct a public presentation wherein members of the general public can review and comment on the proposals provided by the finalists.

Selection Panel Voting: After the public forum is held the Selection Panel will meet to review and discuss the public comments. The Selection Panel will then vote to select the artist(s) to be commissioned.

If a voting panelist misses one or more of the artists' interviews, then the panelist may continue as part of the discussion, but may not be counted as a voting member. In the case of a tie vote, the Chair, generally not a voting member shall cast the deciding vote. If for some reason the Chair is a voting member, then another PARB member designated by the chair at the start of the meeting, and present through the meeting, breaks the tie.

An alternate artist will be selected in case the selected artist/s declines the commission or is unable to enter into a contract.

Selection Panel Meeting Follow-Up: Within two weeks of the final Selection Panel meeting, the staff will present the panel's recommendation to the PARB for confirmation. The Arts & Cultural Affairs Advisory Council will be informed of the PARB's confirmed recommendation, and upon confirmation by the Arts & Cultural Affairs Advisory Council, the Arts & Cultural Affairs Office will negotiate and prepare contracts with the artist (through the County Contracts and Purchasing Division).

If the PARB is reluctant to confirm the Selection Panel's first or alternate recommendation, the PARB will meet with the Selection Panel Chair, and if necessary, the entire panel, to discuss its concerns. Following this meeting, if the PARB will not confirm the recommendation, the project will be reevaluated for its feasibility, and the search may be reopened with a new Selection Panel, if necessary.

Artist Eligibility: An artist is defined as a person who practices in the visual arts as a professional. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sale or commission of artwork, frequent or consistent art exhibition, placement of artwork in public institutions or museums, receipt of awards and honors, and training in the arts.

All artists are eligible for commission or purchase. Artists who receive a single commission for more than \$25,000 are ineligible to receive another commission for three years from the date of the signed contract. The Project Consultant(s) and Contractor(s), Orange County Staff, PARB Members, and their immediate family members, are not eligible.

Artist Selection

Final selection of the artist is to be made by the Art Selection Panel and then approved by the Public Art Review Board, then the Arts & Cultural Affairs Advisory Committee, and then finally by the County Commission.

CONTRACTING WITH AN ARTIST

Pre-Contract: Upon confirmation by the Arts & Cultural Affairs Advisory Council, the Administrator will inform the artist of the invitation in writing, describing the nature of the project and explaining the project development process. The Administrator is the only person who can formally announce the commission or purchase of an artwork. In most cases, the selected artist is given 30 days to accept or decline in writing the offer to enter into contract negotiations. If the artist does not confirm within that time, a second letter will be sent by certified mail with a 30-day extension. If the artist does not respond to the second letter, the commission or purchase will be offered to the first alternate artist.

Core Review Group: Once an artist has accepted the commission, the Administrator will arrange for the artist to meet with the Core Review Group ("Group"). The Group includes appropriate County department representatives (who were part of the Art Selection Panel), the Administrator, the County Construction Administrator, the Project Design Architect and Consultant(s), and community groups or other organizations (where applicable). The artist will be provided with any plans and requirements and will be informed of limitations, concerns or issues raised by the Selection Panel or the Group, such as engineering or other code requirements.

The Administrator Chair's the Core Review Group and the Administrator (or designee) will be the single point of contact between the artist and the Group.

The Administrator will work together with the County Attorney and the Contracts & Purchasing Director to expedite the artist's contract. The Group will review and approve the artist's scope of work.

Form of Artists Contract: The County shall develop a standard form for contracting with artists. The scope of work, schedule, and payment schedule shall be adapted for each project. The Administrator together with the County Attorney and the Contracts & Purchasing Director shall negotiate each contract. Final contracts must be approved by the Mayor and the County Commission.

Artist Fees: Artists shall be paid for all creative work requested by the County. Artist fees are defined as the payment to the artist for professional services exclusive of other project costs such as materials and other labor, studio, overhead, travel and per diem expenses. The following factors are intended as guidelines for determining the artist's fee:

- Scope of work and length of artist's involvement
- Project budget-fee ranges (usually based on a percentage of the total artwork budget)
- Artist's experience and professional standing
- Fee scale for similar scopes of work on comparable projects (See Appendix B for flexible scale recommendations)

Artist Agents: The County will deal directly with the artists, although artists may delegate some aspects of a project to her/his agent. Relationships and financial arrangements between artists and their agents, representatives, and/or galleries, must be undertaken by the artist alone. The payment of commissions or fees is the sole responsibility of the artist.

Contract Provisions:

Payment Schedule - A method and schedule of payment to the artists shall be provided through the contract. The County will make interim payments to the artist as agreed upon. Payments shall be contingent upon a certificate of insurance, if necessary, and the approval of project progress. Final payment shall be made only after the final acceptance by the Administrator and County.

Artist's Scope of Work - Details the artist's responsibilities with regard to the project and a general description of the artwork, and its location at the site. It is usually preferable to locate this information in an exhibit so that the base contract remains relatively unchanged.

Schedule - The design, fabrication and installation schedule according to an estimated timetable, the construction schedule, and the payment milestones are provided (possibly as an exhibit to the contract).

Requirements and Approvals for Artwork Design - (As outlined in Design Development section below).

Fabrication and Installation Responsibilities and Approvals - (As outlined in Fabrication section below).

Site Preparation - The County's obligation to prepare the site is specified.

Transportation of Artwork - Provisions describing the means, methods, and financial responsibility for transporting the work of art to the project location.

Construction Delays and Storage - Provisions for communicating delays to and from the artist are conveyed along with provisions for storage of artwork when necessary prior to installation.

Use of Subcontractors - If the artist engages subcontractors or other trades to aid in the execution of the contract, the artist shall be responsible for the payment of such work done by these subcontractors and shall secure evidence of payment by waiver of lien by these subcontractors.

Insurance Requirements - The artist shall not begin work until all required insurance has been obtained and approved by the County. Failure to furnish satisfactory evidence of insurance or lapse of coverage is grounds for termination of contract.

Artists Rights - After final acceptance of the artwork by the County, the following artists' rights shall be guaranteed:

- Maintenance of public artworks shall be the responsibility of the County and not the artist. The County shall make reasonable efforts to maintain the artwork. The County shall attempt to consult the artist on major repairs (if needed)

- The artwork shall not be altered, modified, removed, or relocated from a site integral to the concept for the work without first consulting with the artist, if reasonably possible. If a work, nevertheless, has been significantly altered, the artist shall have the right to disclaim authorship
- Copyright of the artwork shall belong to the creator(s), but the County shall be granted in the contract the right to make two-dimensional reproductions for non-commercial purposes

Ownership: The County shall request an archival copy of the drawings or plans that represent the artwork for future conservation of the work, or for public display and interpretation through the Portable Works Collection. The County retains ownership of the accepted artwork.

Artist Warranties: Artists contracted by the County shall assure the following warranties:

- The art is unique and original and does not infringe upon any copyrights. In the case of acquisition of artwork that is part of an edition, the County shall be apprised of the number of works in the edition and the number of the work to be acquired
- The art, or original multiple, has not been accepted for sale elsewhere
- Execution and fabrication of the art will be performed in a professional manner
- The art as fabricated and installed by the artist will be free of defects in material and craftsmanship, including any defects or qualities causing or accelerating deterioration

Maintenance/Repairs and Restoration: The County shall make reasonable efforts to maintain the artwork in good repair after final approval by the County. The County shall make every effort to consult with the artist on significant restoration and repairs that differ from those suggested in the artist's maintenance recommendation. The artist shall notify the County of any change of address.

Signage, Public Information, and Education: The County shall provide a plaque or sign adjacent to the artwork identifying the artist, the title, date, medium and reference to Orange County's Public Art Program (see Public Information and Education herein).

Termination Conditions: The artist's services may be terminated under the following conditions:

- By mutual consent of the parties
- For the convenience of the County, provided that the County notifies the artist in writing of its intent to terminate, at least 30 days prior to the date of termination
- For cause, by either party, where the other party fails in any material way to perform its obligations under the contract. Termination for cause is subject to the condition that the terminating party notifies the other party of the intent to terminate, stating with reasonable specificity the grounds therefore, and the other party fails to cure the default within 30 days of receiving the notice

In the event the contract is terminated, the County shall reimburse the artist for work performed and expenses incurred prior to the termination date.

Arbitration: In the event of a dispute between the artist and the County concerning the terms of the contractual agreement, the parties shall endeavor to arrive at a mutually acceptable solution. If they are unable to do so, either party may request that a mutually acceptable arbitrator familiar with artwork and construction settle the dispute. The cost of the arbitration

process shall be borne equally. Any decision made as a result of such arbitration shall be binding and enforceable in a court of law pursuant to the Florida Arbitration Code.

Alteration, Removal, Relocation or Deaccession: The contract with the artist shall provide that the County, in its sole discretion, may remove, relocate or deacquisition the work of art, however, prior consultation with the artist, if available, shall, as much as possible, be sought.

DESIGN, FABRICATION, AND INSTALLATION PROCESS

Design Process: Depending on the complexity of the artwork and the interface with the CIP, there may be three phases of design. Smaller, more direct projects may require only two phases. Artists who are selected through proposals will have prepared the conceptual design as part of the proposal process.

Conceptual Design: After signing a contract, but before beginning design, the artist will meet with the Core Review Group. The Administrator will facilitate these meetings. After the first meeting, the artist will begin to work on the conceptual design, or refine the design, if selected through a proposal process. The artist may, as needed, confer with any combination of the Core Review Group members to clarify and/or coordinate with the CIP design elements. The conceptual design (which may include several alternatives) will be approved by the Core Review Group and then presented to the PARB for approval.

Preliminary Design: Once the conceptual design is approved by the PARB, the artist shall proceed with preliminary design. The artist shall:

- Consider any changes requested by the Core Review Group or the PARB and revise or refine the design
- Conduct necessary content or materials research to complete the design
- Prepare a final budget; including costs for fabrication, materials, labor, transportation, installation, insurance, artist fee, and contingencies as negotiated (see Appendix B).
- Determine the fabrication and installation techniques and requirements
- Prepare a list of qualified consultants or fabricators (if the artist is not fabricating and installing the work her/himself)

The preliminary design will be approved by the Core Review Group and then presented to the PARB for approval of significant changes that have been made.

Final Design: Once the preliminary design is approved by the PARB, the artist shall consider any changes requested by the Core Review Group or the PARB, revise and refine the design. The artist shall then prepare the documents required for the fabrication of the artwork and site preparation. Depending on the nature of the project, these documents may include working drawings, intermediate models, or life-size templates. The artist will provide the Core Review Group with drawings for all aspects of the artwork and site preparation that are to be included in the construction bid documents and specifications.

The artist may be required to provide signed and stamped structural or electrical engineering drawings agreed to by the Core Review Group, or to review the project with conservators, or other specialists.

The Core Review Group may require the artist to make revisions to comply with all applicable statutes, ordinances, building codes, or regulations of any governmental regulatory agency having jurisdiction over the project. The Core Review Group or the appropriate review/regulatory body shall approve such revisions.

In some cases, the artist will design elements of the facility that will be constructed under the general contractor. In these cases, the artist will be paid a design fee from the art budget and the elements will be fabricated and installed by the contractor with supervision by the artist.

Fabrication and Installation: Upon approval of final design, the Core Review Group will confirm the fabrication schedule with the artist and instruct the artist to begin fabrication according to the schedule and to inform the Core Review Group or Administrator of agreed upon milestones and review points during fabrication. The artist will obtain three bids for fabrication and installation, if applicable, and will consult with the Core Review Group prior to selecting a sub-contractor. For some projects the bid process may take place as part of final design. When possible, the Core Review Group shall review the artwork during fabrication and shall approve the artwork if it is fabricated off-site prior to installation. If it is not possible to view the work in person, the artist shall provide photographic documentation.

Design Team Projects: Certain projects may require collaboration between the artist and the project architect, landscape architect or engineer. The following shall apply when this design team approach is used:

- The County Architect and the Administrator will determine how the art funds and the base construction budget may be allocated toward the artwork
- Artist's fees shall include design and supervision based on hourly rates with a cap that are commensurate with the other consultant designers involved with the project
- The artist shall follow the procedures listed above under Design Process. Each design phase shall be completed with similar design phases of the project as determined by the County Architect
- The artist shall supervise aspects of the fabrication and installation that are under the general contract. This may include reviewing shop drawings with the Project Architect and visiting the fabrication and installation sites
- The artist shall coordinate with the Project Architect and General Contractor so that the fabrication and installation process does not delay the CIP project
- Design team projects shall follow the same post-installation & final acceptance procedures as outlined below

Post Installation and Final Acceptance Procedures: The Core Review Group shall inspect and approve the completed installation of artwork.

The artist shall provide the PARB with the items listed below:

- Six digital images minimum: two sets of color digital images of the completed artwork taken from each of three different viewpoints
- Six black and white prints: two sets of 8" x 10' glossy black and white prints of the artwork and negatives taken from each of three different view points
- Six color prints: two sets of 8" x 10' glossy color prints of the artwork and negatives taken from each of three different viewpoints
- Catalog and maintenance information for the artwork

The Administrator will review the above-mentioned material for final acceptance of the artwork by the County.

The Administrator will inform the artist in writing of the final acceptance by the County.

Public Information and Signage: The Administrator will provide a plaque for the project and shall review the text with the artist. Together with the appropriate department and Mayor's

Office, the Administrator will, through a press release, dedication ceremony, or other means, announce the completion of the project.

The completed work shall be added to the Arts & Cultural Affairs web site and other public information materials. The Administrator may prepare postcards, brochures or other materials for the public. The artist may be requested to meet with press or critics, prepare a statement about the project for public distribution, and/or attend a dedication ceremony. However, the artist will not approach the press independently without the prior approval of the County.

Education: If appropriate, the Administrator and the artist will work together to plan an educational component to the project. This may include demonstrations, tours, open studio, exhibition of related work, exhibition of the proposal and process during the project development, a lecture or symposium, development of school or museum related education materials. Artist participation in these activities will be negotiated during the contract phase and covered by the artists' fee for the project.

PUBLIC PARTICIPATION

Public participation is a crucial element of any public art program. Public participation can be achieved in a variety of ways - from lectures and workshops that encourage public awareness of the public art program – to the involvement of interested residents in the actual planning, design, installation and maintenance of public art projects. The Administrator and the PARB will include public participation as a component of the Annual Public Art Action Plan.

Education and Outreach: In order to stimulate and encourage public awareness of public art, the Public Art Program will, to the extent possible, initiate, or collaborate with other agencies on events and activities designed to provide a greater understanding of public art. These may include, but are not limited to, the following:

- Conferences, symposia, workshops, artist's lectures, community meetings and public art tours
- Cooperative programs with arts groups, educational institutions and community organizations
- Regular distribution of promotional and publicity materials, including press releases and public service announcements
- Information about the collection, the OCPAP and opportunities for artists and community participation available on a web site
- Exhibitions of proposals, and related works by selected artists
- Design awards

Community Representation: Community representatives will be appointed, as warranted, to serve on Artist Selection Panels to ensure community input into the planning for each public art project.

Creative Interaction between Artists and Community: When possible, the Administrator will identify projects with the potential for involvement of community representatives in the planning, design and installation of public art projects. On occasion, the Administrator may also facilitate creative collaborations between project artists and organizations that represent community stakeholders and who have expressed their interest in a public art collaboration. These organizations might include, but not be limited to, community organizations, educational institutions, arts organizations and non-profit agencies.

The OCPAP may also sponsor special opportunities for community groups and artists to seek funding for public art projects through an "Open Proposal" program.

Diversity: The OCPAP recognizes the cultural, ethnic, and social diversity of Orange County's population, as well as that of the greater Central Florida region, and shall incorporate similar diversity in all aspects of its Program. The means by which the Program may realize the goal of aesthetic and cultural diversity shall include, but not be limited to, ensuring that the Public Art Review Board, Artist Selection Panels, and artists selected for commissions represent Orange County's multi-ethnic, multi-cultural population; commissioning artworks throughout Orange County's neighborhoods; encouraging the acquisition of artworks which include a wide variety of styles, scale and media; encouraging the exploration of new experimental art forms as well as established and traditional art forms.

PORTABLE WORKS COLLECTION

The current Public Art Program Portable Works Collection consists of more than 100 works located in the Orange County Administration Building and Orange County Courthouse.

Purpose of the Portable Works Collection: The purpose of the Portable Works Collection is to acquire and display interior artwork that educates the public; expand upon the commissioned work in the County's permanent collection; and to acquire and display drawings and models of commissioned artwork in the collection.

Selection Criteria: The Portable Works Collection is exhibited in the most public areas of public buildings. The following criteria have been developed to guide the acceptance of gifts or the purchase of artworks for the collection. The Portable Works Collection should bear a relationship to public art and to the OCPAP collection.

Criteria to be considered in selection include:

- Acquisition of works by South Eastern Artists
- Acquisition of works by artists who have been commissioned through the OCPAP or are active in the field of public art
- Artworks that respond to Florida and its communities or to the Central Florida region
- Small-to-medium scale artworks that can be easily stored and moved as space needs change
- Imagery or subject matter that is appropriate and is of interest to the general public
- Artistic merit and relationship to other works in the County collection
- Artwork that is in good physical condition and its projected future maintenance and conservation costs are not cost prohibitive
- Availability of County storage, and willingness for protection and preservation of artwork
- Cost and available budget

If works are being collected for a specific building or department, the PARB or the Selection Panel might recommend general themes or guidelines.

Selection Process: Several options are available for selecting works to be purchased depending on the amount of money available for purchase and the intended site. If the work is selected through a Selection Panel process, the meeting process outlined herein may serve as a guideline for the Selection Panel. Another option includes utilization of a 1-3 member selection panel of arts professionals with an advisor from the PARB, whereby artists submit digital images of available works, which the panel then narrows to a small number that will be viewed by the Administrator for final selection by the PARB.

Installation Considerations: The following steps should be taken to ensure secure and archival installation of any portable works:

- Artworks should be framed with UV protective glass, with UV sleeves
- Works on paper should be hung away from natural light
- Utilization of acid-free matting, and a tamper-free mounting system
- Labels and explanatory signage

Care and Maintenance: The Portable Works Collection requires ongoing supervision. All works should be checked at least once per year to insure that work is in its designated location; mounting and frame are secure; and signage, frame, mat and artwork are in good condition. Works that do not meet these criteria should be removed for repair.

Deaccessioning Guidelines: Carefully following the acquisition guidelines should limit the need to remove artwork from the collection. Criteria for the artwork to be deaccessioned include: works that are too large to fit into available or prospective locations; situations where value to repair work exceeds the value of the work itself; work that does not meet the criteria for the collection.

When an artwork does not meet the criteria for the collection, the following steps are outlined in the deaccession procedure. In short, the steps are:

- Perform a professional appraisal of the artwork
- Offer the work to other Orange County Agencies, to be held on loan from the OCPAP
- Works refused by other agencies should be sold or auctioned, and funds from the sale of artworks should be deposited into the PAF and earmarked for the Portable Works Collection
- Offer the work to the artist at price or for an exchange
- Offer the work to other public facilities or schools.

Loans: Loans to the Portable Works Collection should be accepted with a set time frame, location and purpose. Long-term loans should be discouraged. Works that are currently on loan to the collection should be evaluated and a set time frame should be established or the work should be returned to the owner.

RECORDKEEPING, CATALOGING, AND MAINTENANCE

The consulting services of a registrar are necessary to set up a system for record keeping and cataloging the existing collection and new works that are acquired. It is essential that both the electronic and actual file systems be addressed. The following guidelines are set forth as recommendations to adopt.

Goals: Works of art in the OCPAP shall be maintained and preserved in the best possible condition. County departments shall not provide any maintenance of artwork, including cleaning, without the consent of the Administrator. The Administrator will arrange for all professional services. The objectives of the maintenance program shall be:

- To inspect works of public art on a regular basis
- To clean and provide other appropriate routine maintenance of the works of public art
- To establish a regular procedure for effecting necessary repairs to works of public art, including emergency situations that endanger public safety.

Artist Responsibilities: Within the terms of the contract, the artist shall:

- Guarantee the work of art against all defects of material and workmanship for a period of one year following installation
- Provide the Administrator with drawings of the installation and with detailed instructions regarding routine maintenance of the artwork
- Provide the Administrator with a current address and contact information so that prior to any repair and restoration of the artwork, the Administrator shall, to the extent practicable, first consult the artist. To the extent practicable, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee.

Administrator Responsibilities: The Administrator shall have the following responsibilities:

- Works of art shall be examined for condition at least once a year. A written report shall be prepared with photographic documentation as necessary.
- When a work of public art requires maintenance or repair, the Administrator will provide for such in cooperation with the department that houses the work of art.
- The Administrator shall notify the artist before repair or restoration in order to provide an opportunity for comment. When appropriate, the Administrator will offer the artist the opportunity to do the work or to supervise it. The Administrator shall reserve the right to make minor and/or emergency repairs without consulting the artist, taking into consideration instructions provided by the artist at the time of acquisition.
- After final approval and acceptance, all works of art shall be insured as required by the County. The insurance value of a work of art is equal to its purchase or acquisition cost.

Procedures for Maintenance and Conservation: The Administrator shall provide for annual inspection and report on each work of art in the County's collection, including the present condition of the artwork and recommendations regarding needed maintenance and repair. Regular inspection may be made by Administrator's staff or by another individual or group contracted to perform this service.

The PARB shall review the condition report and shall, for those works needing attention, recommend that: no action be taken; the Administrator negotiate maintenance and repairs with the department housing the artwork; repairs be made, in whole or in part, suggesting means of accomplishment; or that the work be relocated or removed from the collection.

DEACCESSION

Alteration, Removal, Relocation or De-accession: Public artworks generally enter the public environment through a careful process informed by the best available professional judgment and advice from affected public interests. They are created by artists, specifically for the public context.

In all circumstances, the County should seek to insure the ongoing presence and integrity of the work at the site for which it is created, in accordance with the artist's and OCPAP's intention.

The primary concern should be to assure continuing access to the work by the public. The County shall not move a work of art from its site or alter the site so that the work of art is obscured, altered significantly or jeopardized.

Public art has a long historical tradition of controversy. Review of the status of a public artwork should be undertaken cautiously, in order to avoid potential influence of fluctuations in taste and the immediate pressures of public controversy. A work should not be removed from public view simply because it is controversial or unpopular. A decision may implicate basic questions of public trust, freedom of artistic expression, censorship, contractual obligations, copyright, moral rights, and the integrity of the work.

Consideration of removal should involve the same degree of careful review as a decision to acquire a work of art; informed by a professional judgment and the interests of the public, and proceed according to carefully developed policies and procedures.

When the County considers the possible relocation or removal of a public artwork, it must recognize its multiple responsibilities: to the artist, as represented in the original artist contract; to the community, through its legal mandate and stewardship role; and to our cultural heritage.

Decisions about relocation and removal must include a deliberate and explicit review process, assistance from professionals, and thorough on-going documentation of the process. Because the County has the responsibility for conserving the collection, and because the disposal of artworks may have serious implications, the de acquisition of a work of public art should be a deliberate and seldom-used procedure. It is the policy of the County not to dispose of works simply because they are not currently in fashion and not to dispose of works whose worth might not yet be recognized.

Objectives: Since the County desires to have a diverse public art collection of the highest quality, the process of acquiring works and disposing of them should reflect that desire. At least once every ten years each artwork in the collection should be evaluated. This evaluation has the following objectives:

- To establish an orderly process for evaluating works of art in the County's collection acquired as a result of the OCPAP
- To establish procedures for removal or relocation of works of art
- To insulate the procedures from fluctuations in public opinion.

Procedures for Deacquisition

Conditions: A work of art may be considered for deacquisition for one or more of the following reasons: the work of art has received documented and consistent adverse public reaction from a measurably large number of individuals and/or organizations over a period of 10 or more years; deacquisition has been requested for serious cause by the Department that displays the work; the site has become inappropriate; for example, it is no longer publicly accessible, or the physical setting is to be destroyed; the work is fraudulent or not authentic; the work possesses faults of design or workmanship; the work causes excessive or unreasonable maintenance; the work is damaged irreparably, or to an extent where repair is unreasonable or impracticable; the work represents a physical threat to public safety; or deacquisition has been requested in writing by the artist, for serious cause.

Process: The recommendation to dispose of a work of art shall be made by the PARB and shall require a majority vote of the full membership of the ACAAC. Final approval for deacquisition shall be granted by the County Commission at the request of the Mayor. The Administrator shall prepare a report which includes: reasons for suggested deacquisition; criteria for original selection, acquisition method and cost; informed estimate of the current value of the work; staff evaluation of the work; public and Department feedback on the work; opinion of the County attorney; and suggested alternate courses of action and costs. The PARB shall then conduct an advertised public hearing. An artist whose work is being considered for deacquisition shall be notified and shall be invited to speak.

Courses of Action: The PARB may recommend any of the following courses of action as a result of the staff report and the testimony received at the public hearing. The PARB shall not be limited to these courses of action but may suggest alternatives appropriate to meet particular circumstances.

- Relocate the work of art. This method shall be given the highest priority.
- Remove the work from display and put it in storage.
- Sell or exchange the work of art through the following means: offer the artist the first opportunity to buy back the work of art at the current appraised value or at a price to be negotiated, obtain professional appraisal and advertise sale at auction, or seek competitive bids.
- Dispose the work using County surplus property procedures.

Proceeds: All proceeds from the sale of public works of art shall be deposited into the Public Art Fund to be used for maintenance and repair of works of art in the County's public art collection.

GIFTS

Gifts to the OCPAP are an important part of the collection. Proposed gifts or loans of public art shall undergo a review process to ensure that acceptance of such gifts or loans takes place in a fair and uniform manner and supports the mission and goals of the OCPAP. Gifts should be reviewed as carefully as works that are purchased or commissioned. Funds for maintenance and conservation of the public art collection are limited, as are the number of sites on County property that are suitable for gifts or other future public art projects. Therefore a careful review process must evaluate proposed gifts of public art according to the purposes, goals and selection criteria that guide the program as a whole.

A Task Force shall be appointed to review and accept all gifts or loans of public art to be placed on County property. In part a sub-committee of the PARB, the Task Force shall consist of 3 members of the Public Art Review Board, the County Architect, and a member from the Arts & Cultural Affairs Advisory Council.

Procedures: For each proposed gift of public art, a written proposal or letter of intent must be submitted to the Administrator. The proposal must include specifications of the proposed gift, including artist, title, dimensions, materials, date, proposed location, and the approval of the department responsible for the site.

The Administrator will refer the proposal to the Task Force for review. For existing work, the actual work of art will be presented for review when feasible in place of the first three items below. Proposals for commissioned works shall include:

- Maquette of a three-dimensional work or complete drawing of a two-dimensional work
- Drawings or photographs that demonstrate the relationship of the artwork to the site
- Material samples for the artwork and any relevant construction materials
- Installation details
- Professional appraisal of the artwork's value
- Description of routine maintenance and estimate of maintenance costs
- Approval for the installation and use of site by the appropriate County department(s)
- Artist's resume
- Object's exhibition history, if it is an existing work
- Letter of authentication from the artist

Loans will include the information above, plus the duration of time that the artwork will be on County property and the arrangements for de-installation.

Task Force Review: The Task Force will review and discuss the proposal and move to accept or reject the proposed gift or loan. In cases where a donor has specified a site for the proposed artwork, the artwork must have the endorsement and approval for installation from the County department that oversees the site. Works of art accepted on the basis of maquettes or drawings will be subject to a review process, including inspection by a structural engineer during fabrication and installation. Specific plans for site design, installation and maintenance will be submitted for all necessary approvals. Costs for engineering and approvals shall be borne by the artwork donor. The artwork may not deviate from the proposal approved by the Task Force unless the Task Force approves such change in writing.

Criteria for Acceptance of Gifts: The review process will ensure that:

- Donations and gifts maintain high artistic standards for artworks in the County's public art collection.
- Artworks support OCPAP's commitment to creating a diverse collection of artworks. The work of artists who are already well represented in the program will not be considered as readily.
- Liability associated with the artwork, including susceptibility to damage and vandalism, potential danger to the public, and special insurance requirements have been considered.
- Costs of installation and maintenance and repair over the expected life of the artwork are dedicated.
- Artists will provide updated contact information in case of conservation or restoration needs.
- The site available is appropriate to the artwork's content, scale, and material. Factors to be considered in selecting on an appropriate site include, relationship to architectural and natural features, visibility and public access, traffic patterns, future development plans for area (if known), and public use patterns of the site.
- The County has the flexibility to move or deaccess the artwork, if necessary, in the future.

Memorial Gifts: Memorial gifts will also be judged on the following criteria to determine appropriateness:

- Representation of broad community values.
- If a person or event is being memorialized, they/it must be deemed significant enough to merit such honor.
- The location under consideration is on appropriate setting for the memorial: in general, there should be some specific geographic justification for the memorial being located in a given site. The donor must contact and work with the appropriate County Department in charge of the site.

Accession, Removal, Relocation or Deaccession of an Artwork: The donor shall complete and submit the public art gift form. Works may be relocated or removed if a gift becomes a hazard or liability, or if the approved terms of acceptance are not fulfilled, The Public Art Review Board shall deaccession and dispose of works of art in the OCPAP collection in accordance with its policies as described herein.

Associated Costs: The donor must underwrite the costs of fabrication and installation. If necessary to the project, the donor will also be responsible for engineering specifications, design and cost of pedestal, identification plaque, special lighting and structural support meeting all building codes and landscaping of site. The donor shall contribute 5% of the total commission cost to be put into a special maintenance fund to support maintenance of the public art collection. If the gift is on existing work of art, 5% of the appraisal value plus installation costs shall be put into this fund.

WORKS ON LOAN

The Public Art Review Board may accept works of art on loan by setting up criteria for the program. One program is the Art in the Chambers Program, which displays artworks on loan for three to four months in the Board of County Commissioner's Chambers and Atrium lobby.

APPENDIX A

ART SELECTION PLAN

Outline submitted to the Public Art Review Board, prior to convening an art selection:

Project Name:

Department:

Budget Code:

Department Contact:

Architect:

Engineer:

Landscape Architect:

Project Status:

Project Budget:

Recommended Artwork Budget: _____

Services provided at site,
nature of public use: _____

NEIGHBORHOOD/CONTEXT INFORMATION

Address: _____ County Commission

District: _____ Neighborhood/Context

description Community Contacts:

Zoning

Demographics

Physical characteristics

Other artwork in the
vicinity:

Project Partners: _____

Artist Selection _____

Type of work: __commission __ purchase __conservation __ re-siting

Potential number of artworks/

Projects to be acquired at this site

Artist scope of work: _____

Method of Selection:

___open competition ___limited competition ___direct selection ___other Recommended

Panelists: _____

SCHEDULES

Project Schedule Design

Complete _____

Construction Start _____

Project Complete: _____

Art Selection Schedule: _____

Orientation Meeting: _____

Call to artists sent: _____

Deadline: _____

Slide Review _____

Artist Orientation/Site Visit Artists' Proposals/Interviews

ART SELECTION BUDGET

Panelists Honoraria

Travel Expenses

Artists Honoraria

Travel Expenses

Meetings

Room Rental (rarely applicable) _____

Equipment Rental

Call to Artists –
Number of Pieces

Printing

Mailing

Advertising

Artist Briefing
Packages

Printing

Next Day Delivery

Shipping

Return of Models/
Proposal Materials

APPENDIX B

ARTIST FEE AND FEE SCALES

Artist Interview Honoraria:

When artists are interviewing for a project, their travel and lodging costs should be either reimbursed or paid directly by the OCPAP. A modest honorarium of \$250 may be offered to cover the time spent to prepare a statement and attend the interview.

Proposal Honoraria:

When artists are making proposals for project, they should be paid an honorarium for their proposal. The proposals that are not selected should remain the property of the artist. However, the County may wish to have the right to exhibit the proposals publicly for a year following the presentation. Artists travel and lodging costs should be either reimbursed or paid directly by the OCPAP. If this is not feasible, then the honorarium should be scaled to include travel costs. A scale to consider for proposals is as follows*:

PROJECT BUDGET	PROPOSAL HONORARIUM*
\$10,000 - \$ 50,000	\$ 250 - \$ 750
\$ 50,000 - \$100,000	\$ 750 - \$1,500
\$100,000 - \$250,000	\$1,500 - \$2,500
\$250,000 - \$500,000	\$2,500 - \$5,000
\$500,000 and up	\$5,000 and up

**figures as of 2005 indexed to rate of inflation*

Comprehensive Contracts for All Phases of Work:

Artist is responsible for design, fabrication, transportation and installation. Recommended fee range: 20 - 30% of total project budget.

Design Contracts:

Design fees cover artist's services, overhead, expenses incurred in preparing design. Out of town travel, lodging and per diem can be factored in at cost through on expense line, or estimated and added to total. Fee scale may also be estimated based on an hourly rate that is comparable to other design professionals. Recommended Fee Range: 10 - 20% of project budget.

Fabrication Contract:

Implementation budget fees within this range to be negotiated based on artists anticipated scope of work to review shop drawings, travel to fabricator and site, and time to review fabrication and installation. Recommended Fee Range: 10 - 20% of project budget.

Planning Contract:

Fee scale should be based an hourly rate that is comparable with other design professionals on the project. It may also be based on an annual salary and pro-rated far the amount of time the artist is expected to spend working on the project.

APPENDIX C
CATALOG AND MAINTENANCE RECORD

General Information

Artist:

Address:

Telephone Number:

Title:

Description of Artwork:

Accession Number

and Location on Artwork:

Date and Place Executed:

Installation Date:

Project Name and Address:

Location of Artwork within Project:

Medium

(i.e. steel, bronze, painted enamel, etc.):

Dimensions (without pedestal):

Height: _____ Width: _____ Depth: _____ Approximate Height: _____

Pedestal Dimensions:

Height: _____ Width: _____ Depth: _____ Approximate Weight: _____

Exhibitions and Collections (pertaining to above work):

Edition Information

(if not a unique piece):

Location and Description

of

Artist Signature and

Copyright

Mark, if it occurs:

Fabricator, if other than

artist:

Name and Address:

Reproductions and Periodicals (pertaining to above work):

Technical and Maintenance Information Construction Technique:

Foundation Structure (include bolt/pin size and grout as well as any underground anchoring system):

Materials(s) (types, sizes and manufacturers):

Material(s) Thickness:

Welding or Joining

Method:

Welding Rod Alloy or

Joint Material:

Material Finish

(glaze, paint color and

type,

Sanding grit, tool pattern, patina,

surface sealer, etc.): _____

What is the Artist's intention relating to the work over time? (i.e. patina, etc.) Should Work

Reflect the Impact of the Environment?

Suggested Routine Maintenance:

Can the Department Cleaning Staff be Responsible for the Routine Maintenance? ____ Yes
____ No Yearly Maintenance and Care of Artwork (cleaning agent and procedure):

Can the Department staff at the Site be Responsible for these Procedures? ____ Yes ____ No

Artist Signature

Date

Care of Artwork Department Responsibilities

The Department agrees to accept the responsibility for the care of the above-mentioned artwork. All substantial restoration of the artwork will be done only with the approval of the Public Art Review Board.

Person Responsible for Annual Maintenance Date Name, Address,

Telephone Number: _____