

GUIDELINES FOR THE ACQUISITION PROGRAM OF ART IN PUBLIC PLACES

MERCER ISLAND ARTS COUNCIL

These guidelines establish the process to be followed for the acquisition of art for public places for the City of Mercer Island. The process assures objective and equitable artist participation based on the scope of a given project as well as public participation in artist selection. It is the responsibility of the Mercer Island Arts Council to see that the process is properly administered and that the final decision on art selection is the most appropriate choice.

Definition of terms used in this guideline document. See Appendix I

Acquisition of art for public places is a three phase process.

1 - ART ACQUISITION PROGRAM - A document identifying the who, how, what, and why of acquiring art for a particular project.

2 - ARTIST SELECTION - The process by which an artist is chosen for a particular art project.

3 - IMPLEMENTATION - The preparing of paperwork to cause the artist to begin work, the monitoring of artwork progress and installation, and the organizing of the presentation ceremony.

PHASE 1. PROGRAM FOR ACQUISITION OF ART IN PUBLIC PLACES

Outlined as “Developing a Public Art Project” in the Guidelines for Administering the City of Mercer Island Public Art Program document.

1.1 Program Writing Committee - The Chair of the MIAC will name a three to six member Program Writing Committee to each project for which a public artwork is to be commissioned. The Committee will be chaired by the MIAC member and includes the professional designer who is responsible for the total project, an interested Mercer Island citizen, a MIAC staff member, and/or others chosen from City elected officials and City staff.

1.2 Content - The Art Acquisition Program shall include and not be limited to the following information.

1.2.1 Artist Selection Methods - The Program Writing Committee will determine which of the following is appropriate for artist selection. The choice of selection method is guided by the scope and needs of the project. **Open Competition:** Any artist is welcome to receive an Artwork Prospectus and submit a proposal. Limitations appropriate to a given project may be added by the Program Writing Committee and will be written into the prospectus. **Limited Competition:** A limited number of artists, selected by the Program Writing Committee, will be invited to submit proposals. **Direct Selection:** The Program Writing Committee shall select one artist to submit either an existing artwork or create a new artwork for a project. If a project site requires a collaboration of artists, only the direct selection method will be applied.

1.2.2 Site and Project Description - A description of the specific setting for the artwork including the intent of the project. If the setting is not a specific location, identify potential sites available for the artwork. Include a descriptive statement of a historic nature (if any) pertinent to the site.

1.2.3 Description of Public Benefit - A statement of expected public benefit from the artwork and reason for having artwork at this site. Address any special considerations such as commemorative art for individual or event, express a specific mood, is the artwork to be informational or educational, should there be a participatory, or passive response from the observer. List any maintenance and safety restrictions. The artist shall visit the site and

coordinate with the City, project architect, contractor on the specific location and installation of the artwork.

1.2.4 Funding and Budget Breakdown for Artwork - The MIAC staff will furnish the Program Writing Committee with this information.

1.2.5 Artist's Entry - See Appendix II for contents of artist's portfolio.

1.2.6 Artwork Time Schedule - This will include and not be limited to the following. (Consult the MIAC staff in setting dates.)

1. Date for Program & Artist Selection Panel (ASP) presentation to MIAC for vote
2. Date for Program & Artist Selection Panel (ASP) presentation to MICC for vote
3. Date when artwork entries are due back to MIAC
4. Date for MIAC vote on finalist chosen by ASP
5. Date for MICC vote on contract with artist (finalist)
6. Tentative date of artwork installation completion
7. Tentative date of artwork presentation ceremony

1.2.7 Installation Resources - Identify resources available to assist the artist with artwork installation. Consult with MIAC staff.

1.3 Program Approval - The Chair of the Program Writing Committee shall present the Program to the MIAC for approval or revision. After MIAC approval, the Program shall be presented by MIAC staff to the City Council for their vote. Upon City Council approval, the Program Writing Committee is dismissed, having completed their assignment.

1.4 Artwork Prospectus and Requests for Proposals - The MIAC staff and the Chair of the Program Writing Committee will draw up an Artwork Prospectus based on the Program. The staff will also make distribution of "requests for proposals" to artists through direct mailings and public notice in accordance with the approved artists selection method and will send an Artwork Prospectus to artists who respond to proposal requests.

PHASE 2. ARTIST SELECTION PROCESS

Outlined as "Evaluating Submittals for Artist/Artwork Selection" in the Guidelines for Administering the City of Mercer Island Public Art Program document.

- The overriding criterion in the selection of the artist is to assure that artwork is of the highest quality.

2.1 Artist Selection Panel - An Artist Selection Panel (ASP) of six members is chosen by the MIAC Chair and staff and recommended to the MIAC for approval. After MIAC approval, the ASP shall be presented to the City Council for vote. Upon City Council approval, this panel will review the art acquisition program for this project and visit the artwork site. Then the panel will review the artists' entries and select the one which in their estimation most closely complements the specifications of the Art Acquisition Program, illustrates creative skills, and evidences high quality work. Each ASP member will represent one of the following interests.

1. An artist generally recognized for producing quality work

2. A Mercer Island citizen with special interest in the proposed site
3. A MIAC member (will serve as Chair of the ASP)
4. A Mercer Island Design Commission member
5. A lay citizen of the City
6. A Mercer Island City Council Member
7. A City staff advisor (non-voting member)

2.1.1 Artwork Proposal Review and Selection - The ASP will review each artist's proposal and use an Artist Selection Checklist Form in the review process. See Appendix III for

Artist Selection Checklist Form. The ASP will meet to discuss applicants' credentials and review slides of artwork, again using the Artist Selection Checklist Form in coming to a decision. To avoid any conflict of interest or appearance thereof, the MIAC requests that a panelist having any association with an applicant, so state. The Chair will decide if this association will exempt the panelist from discussion or cause dismissal from the Committee.

2.1.2 The Approval Process - The ASP Chair shall report the Panel's findings to the MIAC as follows.

1. The ASP selects an artist's artwork in accordance with the Program for Acquisition of Art for Public Places. At this time the artist's entry and portfolio will be shown to the MIAC. If the ASP finds that no artist conforms to the requirements, it may recommend further MIAC studies to promote public art in this specific project (i.e. amend the Program review budget, etc.). See Appendix IV for sample letters to the MIAC.
2. The MIAC will review the ASP's findings and approve the Panel's ascending recommendation or act accordingly on their descending recommendation.
3. Upon MIAC approval of an artist, the MIAC staff will present this selection to the City Council for authorization to enter into contract.
4. The Chair of the ASP will inform the artist of his/her selection in writing. All applicants will receive notification of the artist selection result with thanks for their participation.

PHASE 3. IMPLEMENTATION

Staff propose removing this process information from the Guidelines, as these are administrative tasks that will be accomplished by City staff (contracting, construction monitoring, etc.). The Arts Council may recommend documenting this information in the 6-Year Art in Public Places Workplan if desired.

3.1 Contract - The MIAC staff, in consultation with the ASP, is to assist the City Attorney in drafting the contract between the City of Mercer Island and the artist. With the completion of the contract, the ASP is dismissed, having completed their responsibilities.

3.1.1 The MIAC staff is to provide, as a minimum, the following information in sufficient form and detail for inclusion in the contractual agreement by the City Attorney.

1. A description of the art work to be acquired, such as sketches, written descriptions, models, etc., being in a form that can be attached to or identified specifically by reference, be incorporated in the contract.

2. Identify critical review points and establish a progress and payment schedule of the fabrication of the art work. A completion date will be decided upon by the artist and the MIAC staff member.

3. Identify, with the artist's assistance and advice, and with professional counsel as necessary, the structural support, utilities required, and other logistic measures (including special installation equipment) required of the work according to the artist's concept and intent.

4. All risks such as, but not limited to, fabrication, transit, and installation are the responsibility of the artist until the work has been accepted by the City.

5. Schedules and scope of services to be provided by the City.

6. These three (3) documents will be appended to the contract - "Technical and Maintenance Record," "Public Report Format," and "Documentation for Public Art Collection." See Appendix V.

3.2 Accomplishment of the Artwork

3.2.1 The ASP Chair and the MIAC staff are to monitor the artwork progress including the following.

1. Verbally report artwork progress and contractual conformance to the MIAC.
2. With the artist's counsel, keep support service participants advised as to when their services are needed.

3.3 Presentation of the Artwork

3.3.1 The MIAC staff is to plan the presentation ceremony and promote event attendance to the community.

3.3.2 Particular recognition is to be given to the following.

1. The artist
2. Funding sources
3. Elected officials who took official action to make the artwork possible
4. Artist Selection Panel
5. City staff assisting (by name with assistance provided)
6. MIAC
7. Program Committee

APPENDIX I

Definition of terms used in the document.

“Terms and Definitions” and “Public Art Project Types” now included in the 6-Year Art in Public Places Workplan document.

Artist - A person generally recognized by critics and peers as a professional who produces quality artwork on a regular basis.

Artwork - Includes, and is not limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving, and stained glass. Artwork would normally not include landscaping, paving, architectural ornamentation or signage unless the services of an artist were required for these tasks.

City - City of Mercer Island

Art in Public Places - Any expression by an artist of visual works of art available to the public in an open City-owned facility in areas designated as public areas, or on non-City property if the work of art is installed or financed, either whole or in-part, by the City.

APPENDIX II

Artist Portfolio Contents

Outlined as “Submittal Requirements” under “Developing a Public Art Project” in the Guidelines for Administering the City of Mercer Island Public Art Program document.

1. Artist's resume
2. Maximum of twenty (20) 35mm slides of completed work in a plastic slide sheet, numbered and marked for front/top and artist's last name
3. A sheet of paper correlating to the numbered slides, listing title, date of work, medium, size, and other relevant information.
4. A written proposal, design considerations (scaled if possible), conception sketches, and proposed location of artwork on 8 1/2" x 11" paper describing the concept and materials for this project and giving the proposed installation date
5. Two (2) references from public, private, and/or corporate entities.
6. A self-addressed, stamped envelope adequate in size for the return of visual materials.

No other materials will be presented to the Artist Selection Panel.

APPENDIX III

ARTIST SELECTION PANEL CHECKLIST

Outlined as “Four Public Art Pillars Selection Criteria” under “Evaluating Submittals for Artist/Artwork Selection” in the Guidelines for Administering the City of Mercer Island Public Art Program document.

Indicate your evaluation of the artist’s credentials based on information included in the artist’s portfolio and slides.

yes no

1. The artist is generally recognized by critics and peers as a professional who routinely creates high quality work.

2. The artist evidences that she/he has entered into prior artwork contractual agreements with public, private, or corporate entities.

3. The artist evidences that prior commissioned work was completed on schedule and within budget.

low high
1 2 3 4 5 6

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4. The artist evidences (e.g. slides) that she/he has produced artwork which is sensitive and responsive to a broad range of the public.

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5. The artist’s entry shows a sensitivity to the public benefit concept as described in the Program for Acquisition of Art in Public Places. Reference paragraph 1.2.3.

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6. The artist has crafted an artwork entry which is in scale with the site and/or in scale with it’s intended use and does not interfere with traffic patterns of any sort.

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7. The artist’s entry recognizes issues of theft, vandalism, weather, and excessive maintenance costs.

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8. The artist has experience in (score higher) or knowledge of (score lower) the medium chosen for his/her design.

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9. The artist’s written concept, sketches, and chosen material express a compatible strain of thought.

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10. The artist’s entry is compatible with the prospectus.

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TOTAL

APPENDIX IV

Artist Selection Panel Recommendation Letters to MIAC
Eliminated from updated Guidelines document.

~~TO: Mercer Island Arts Council~~

~~—The Artist Selection Panel having reviewed all the entries submitted to the artwork portion of the project has selected as the winning artist.~~

~~Signed by the Artist Selection Panel~~

OR...

~~—TO: Mercer Island Arts Council~~

~~—The Artist Selection Panel having reviewed all the entries submitted to the artwork portion of the project finds that no artist entry conforms to the Art Acquisition Program requirements and recommends the MIAC re-study all aspects of artwork acquisition for the project to assure that public art be included in this project.~~

~~Signed by the Artist Selection Panel~~

CITY OF MERCER ISLAND ARTS COUNCIL
PUBLIC ART COMMITTEE

**TECHNICAL AND MAINTENANCE RECORD
3-DIMENSIONAL**

Name of Artist _____ Accession No. _____

Title of Work _____

Special Methods and Materials Utilized in Execution of Artwork

A. Material _____

_____ Material Thickness _____

B. Welding or Jointing Method _____

C. Welding Rod Alloy or Joint Material _____

D. Casting Alloy, Wax Body, Glass or Fiber Type _____

E. Technique or Construction Method (attach fabrication drawings)

F. Material Finish (glaze, paint color and type, sanding grit, tool pattern, patina, surface sealer) _____

G. Foundation Installation Structure (including bolt/pin size and grout) _____

H. Is there any other consideration pertinent to the maintenance of this piece? _____

Policy

Deaccessioning is a procedure to permanently withdraw for the withdrawal of an artwork from the public collection. All artworks owned by the City are eligible for deaccession. (For donated works, all legal documents relating to the donation will be consulted prior to beginning the deaccession process.)

City staff are responsible for assessing the public art collection and recommending deaccession needs to the Arts Council. Works will be carefully and impartially evaluated within the context of the entire collection, and staff may consult other qualified individuals, including the artist, an art conservator, an appraiser, a curator, and/or the City Attorney's office, before recommending deaccession. Additionally, staff may consider notifying community members and groups that a work is being considered for deaccession. Deaccessioning should be considered only after a significant amount of time has elapsed from the date of installation of permanent works and acceptance in the case of portable works or under special circumstances (e.g., the piece has been damaged beyond repair.) Deaccessioning will be considered only after a careful and impartial evaluation of the artwork within the context of the collection as a whole. At the beginning of the process, District staff will make reasonable effort to notify any living artist whose work is being considered for deaccessioning.

Eligible Artworks

All artworks owned by Mercer Island whether acquired through the Commission, a Percent for Art Program, donation, or any other method. In the case of donated artworks, all legal documents relating to the donation will be consulted prior to beginning the process.

Criteria for Deaccessioning

A PAAC may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be resited: A deaccession may be considered for one or more of the following reasons:

1. A work is not, or is only rarely, on display because of lack of a suitable site.
2. The condition or security of the artwork cannot be reasonable guaranteed.
3. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
4. The artwork endangers public safety.
5. In the case of site specific artwork, the artwork is destroyed by severely altering its relationship to the site.
6. The artwork has been determined to be significantly incompatible or inferior in the context of the collection.
7. The City wishes to replace the artwork with work of more significance by the same artist.
8. The artwork requires excessive maintenance or has faults of design or workmanship.

Deaccessioning Procedure Seeking Approval to Deaccession

After a work has been identified for deaccession, City staff will present the need to the Arts Council for review and recommendation to the City Council. Upon receiving the Arts Council's recommendation, City staff will transmit the recommendation to the City Council for approval at a regularly scheduled meeting. Once City Council approves the

~~recommendation, City staff will move forward with finalizing the deaccession, including coordinating deinstallation needs, updating the public art record, and messaging to the public.~~

~~A Deaccessioning Subcommittee will be appointed by the Arts Council when necessary. This subcommittee will consist of no more than five arts professionals/experts (including one member of the Public Art Committee and an art conservator or curator).~~

~~As part of the ongoing evaluation of the collection, the Deaccessioning Subcommittee of the Public Art Committee will review the collection when deemed appropriate. The Arts Council staff will be responsible for recommending artworks for consideration/evaluation for deaccessioning.~~

- ~~1. The Subcommittee determines that an artwork meets one of the criteria for deaccessioning listed above.~~
- ~~2. The Council staff prepares a report that includes:
 - a) The opinion of legal staff on any restrictions which may apply to this specific work.
 - b) Approval of appropriate city authority
 - c) Written recommendation for deaccessioning.~~
- ~~3. The Public Art Committee will review the report. The Committee may seek additional information regarding the work from artists, art galleries, curators, appraisers or other professionals prior to making a recommendation to the full Arts Council.~~
- ~~4. A recommendation for action is sent to the City Council for approval at a regularly scheduled meeting.~~

Disposing of Deaccessioned Artwork

~~Depending on the condition of the artwork and the conditions of the deaccession, City staff and the Arts Council may recommend that the work be:~~

- ~~• Returned to the artist;~~
- ~~• Traded for one or more works of comparable value by the artist;~~
- ~~• Sold in compliance with law and policies governing surplus property;~~
- ~~• Responsibly destroyed; or~~
- ~~• Responsibly disposed of in some other manner not described here.~~

~~Upon confirmation of its recommendation, a PAAC shall consider the following actions:~~

- ~~1. Sale or Trade
 - a) Artist will be given first option to purchase or trade artwork.
 - b) Sale may be through auction, gallery resale or direct bidding by individuals, in compliance with appropriate law and policies governing surplus property.
 - c) Trade may be through artist, gallery, museum or other institutions for one or more artwork(s) of comparable value by the same artist.~~

- ~~d) — No works of art shall be sold or traded to members or staff of the District, consistent with District conflict of interest policies.~~
 - ~~e) — Proceeds from the sale of a work of art shall be returned to a departmental account form, which the original purchase was made if acquired through the District or a % for Art Program. Funds from the sale of gifts shall go into a Public Art Trust Fund for future artwork projects. Any pre-existing contractual agreements between the artist and the District regarding resale shall be honored.~~
- ~~2. — Destruction of work deteriorated or damaged beyond repair and deemed to be of negligible value.~~
 - ~~3. — If the council is unable to dispose of the artwork in a manner outline above, the work shall be donated to a nonprofit organization or otherwise disposed of as council sees fit.~~