

PROGRAM GUIDELINES

The mission of the Oklahoma Art in Public Places program is to enlarge Oklahoma's visual landscape using the arts to reflect the state's unique history, spirit and diversity and to imbue the state with a vibrant sense of place. The program is dedicated to acquiring works of art for the Oklahoma Public Art Collection that meet the highest aesthetic standards and that contribute to a high quality of life for all Oklahomans.

This document establishes policies and procedures for the selection, acquisition, placement, care and management of works of art in the Oklahoma Public Art Collection created in accordance with the Oklahoma Art in Public Places Act and all programming adjunct to said Act.

Eligible Projects – All state agencies, including institutions within The Oklahoma State System of Higher Education, state departments, boards, councils, and commissions shall allocate one and one-half percent of the cost of construction or renovation of state owned public buildings to incorporate public art. The cost of renovation or construction must be \$250,000 or more and the maximum assessment shall not exceed \$500,000. This allocation shall be applicable to all state agency capital projects when: 1) projects are approved by the appointing authority after September 1, 2004, by a formally written action of the governing board, commission or director as evidenced by official minutes; or 2) projects are approved in writing by execution of the initial construction contract on or after July 1, 2006.

The works of art commissioned pursuant to the Oklahoma Art in Public Places Act may be placed on public lands, integral to or attached to a public building or structure, or detached within or outside a public building or structure.

For the purposes of the Art in Public Places Program, each building or structure receiving state capital improvement funds is a separate project and each separate project will be evaluated and assessed on its own. Under certain circumstances and with the prior approval of the Oversight Committee, when one project agency has two or more concurrent capital improvement projects in one general location, monies allocated for the art component may be pooled.

When a building or renovation project is approved (either in official minutes or by executing the initial construction contract), the art allocation is figured on the projected costs at that time. If more state money is received but the project has not materially or substantially changed, there is not an additional assessment on those funds. In those instances, the additional funds are assumed to be for unexpected inflation, unplanned contingencies or to cover a financial deficit. If, however, the project has been altered, expanded or modified in a significant way causing the need for additional monies, then those additional state funds will be included in the Art in Public Places assessment.

If a building or renovation project is completed in predetermined phases or stages with separate funding for each phase, there is an assessment on each appropriation or bond for the specific phases. However, with prior approval of the Oversight Committee, the assessments may be pooled in order to create one significant work of art.

Excluded Projects – Projects not included in the assessment are those that are:

- Water
- Sewer
- ADA or code compliance
- Asbestos removal
- Public utility projects
- Prisons
- Data processing purchases which are not part of a public construction project
- Capital projects of political subdivisions of the state
- Capital projects subject to federal public art laws
- Projects that are **solely** roof repair or replacement, HVAC system, electrical or plumbing repair or replacement
- Any project deemed an emergency by the Department of Central Services and as defined in 61 O.S., Section 130.

Who's Who – The following is a list of the entities involved in this process

- **Project Agency** – A project agency is any department, board, commission, institution, or agency of the state or an institution within the Oklahoma State System of Higher Education subject to the Oklahoma Art in Public Places Act.
- **Oversight Committee** – The Oversight Committee has the regulatory supervision of site projects and the periodic evaluation of the Art in Public Places Program.
- **Director of the Art in Public Places Division** – The Director has the responsibility of implementing the Oklahoma Art in Public Places Act, serving as a facilitator and liaison between the community, Committee, Project Agency, Artist, **Board** and Oversight Committee.
- **Site Committee** – The Site Committee is responsible for making recommendations to the Oversight Committee, selection of the location for the artwork, media of the artwork, artist selection, development of a project-specific educational program for tourism and public school curriculum, and coordination of the dedication ceremony. The Site Committee reports to the Oversight Committee which has final approval authority.
- **Artists** – Artists are practitioners in the visual arts committed to producing high quality work, as recognized by their peers and critics of the artist, on a regular basis. The term shall not include the architect of a public building under construction or any member of the architectural firm of the architect.
 - **Artists' Registry** -- The Artists' Registry is a roster of prequalified professional artists eligible for art projects through the Oklahoma Art in Public Places program. These artists represent cultural and geographical diversity as well as a wide variety of media, techniques, styles and approaches.

PROJECT AGENCY RESPONSIBILITIES

- Allocate, as a nondeductible item out of any expenditures for capital projects including, but not limited to, bond issues for state construction excluding costs for bond issuance and related reserves, an amount of one and one-half percent (1 ½%) of the expenditure to the Oklahoma Historical Society for the purpose of funding the Oklahoma Art in Public Places Act, except as provided by the Act.
- For all eligible capital projects subject to the Art in Public Places Act as described herein, the Project Agency shall set aside one and one-half percent (1 ½%) of the capital cost of construction and transfer that amount to the Oklahoma Historical Society for the use and benefit of the Art in Public Places Division as soon as the funds are available and the Total Project Budget is known. The basis of the allocation calculation is the Project Cost which is the combined cost of design and construction. The cost of land, personal property or the cost of issuance of bonds or borrowing money is not included in the Project Cost, nor does it include the cost of pre-project planning that may be necessary to determine a project budget.

However, the cost of design and construction (which together set the Basis of Allocation); the one and one-half percent (1 ½%) allocation for the Art in Public Places; the costs for obtaining funds; the cost of any land acquisition, furnishings; moving expenses; and any other incidental costs associated with planning, building, moving to and operating a new or newly renovated building normally attributed to the Project Budget are all included when calculating the Total Project Budget for planning purposes.

After the art allocation is determined and transferred to the Oklahoma Historical Society for the Art in Public Places Division, the amount of that assessment will not change unless the scope of the project is materially or substantially changed and more state funds are issued or appropriated for the project.

Any state institution or agency has the right to appeal to the Art in Public Places Oversight Committee following the procedure as set forth below.

- Meet with the Art in Public Places Program staff to discuss the program and their project at the earliest possible date.
 - If, however, an institution within the Oklahoma State System of Higher Education or a department, board, commission, institution or agency of the state cannot determine if a capital project is subject to the Art in Public Places Act, it is recommended they contact the Art in Public Places Director to clarify the project's eligibility. The Director will obtain as much information about the project as necessary to make a sound determination if the project is subject to the Act or is excluded. The prevailing standard will always be a logical and equitable decision that is consistent with the Art in Public Places Act and its intent.
 - Any state institution or agency has the right to appeal to the Art in Public Places Oversight Committee. Said institution or agency must submit a written letter of appeal to the Oversight Committee within

thirty (30) days of receiving the decision by the Art in Public Places Director. The letter of appeal must be delivered to the Director at the Art in Public Places office. The Oversight Committee will consider the appeal and make a final determination within thirty days of receipt of the letter of appeal.

- Provide the following information regarding their eligible capital construction project:
- Verify that 1 ½% of the expenditures has been allocated for the artwork in compliance with the Act
- Confirm:
 - Facility location and function
 - Line item budget for construction—
Including contingencies
 - Agency representation
 - Project designer/architect/engineer
 - Project timeline
 - Funding source(s)
- Incorporate language into the project architect’s contract scope of services that describe the architect’s responsibilities in relation to the AIPP Program
- Direct the project architect to work within the intent of the program as described in the guidelines
- Assign a representative of the Agency to attend all Site Committee meetings and meetings relative to the art project
- Provide the AIPP staff with complete and accurate schedule information to allow the artwork design to be planned for and integrated into project documents
- Ensure that any work relative to the Public Art project that is to be performed by the general contractor is integrated into the contract bid documents; and provide the AIPP staff with a copy of draft bid documents pertaining to the artwork for review, comment and approval prior to their being issued
- Credit the Art in Public Places Division and the artist in all media releases, announcements or any public document or release concerning the artwork
- Include and acknowledge the Division and project artist in the project dedication.

OVERSIGHT COMMITTEE RESPONSIBILITIES

- During the process of commissioning the artwork, the Site Committee submits plan for project and method of artist selection to Oversight Committee; or Site Committee submits plan for purchase of existing work of art to Oversight Committee.
- After Site Committee has selected 3-5 finalists, reviewed their proposals and ranked them in order of preference, the Oversight Committee approves the artist selection for the project; or Site Committee selects artwork and submits images and supporting material to Oversight Committee for approval.

- Site Committee submits the project artist's conceptual design to Oversight Committee for approval. (preliminary design does not have to be approved by the Oversight Committee)
- Site Committee submits final design including drawings for all aspects of the artwork and site preparation that are to be included in the construction bid for approval by the Oversight Committee.
- Oversight Committee receives regular progress reports on the project
- Oversight Committee and AIPP staff determine final acceptance of artwork acknowledging that the artwork has been completed and installed according to all agreements and contracts.

Conflict of Interest Policies for Oversight Committee members

All voting Oversight Committee members must execute a conflict of interest agreement stating they will refrain from conduct which creates an appearance of impropriety or otherwise impairs their judgment in their oversight of the selection of a site, finalist or artist. If there is a conflict of interest for an Oversight Committee member on a specific project, that committee member will withdraw from participating in discussions, decision-making, or voting on that project.

DIRECTOR OF THE ART IN PUBLIC PLACES DIVISION RESPONSIBILITIES

- Work with the Site Committee to develop project guidelines, criteria and budget for each project
- Attend Site Committee meetings
- Meet with public and/or local community at key intervals in project development
- Prepare and distribute Call for Entries
- Review applicant materials and qualifications
- Prepare artist materials for presentation
- Assist Site Committee in organizing meetings and evaluating artist materials
- Record votes and Site Committee members' comments and maintain score sheets
- Encourage community involvement by convening and facilitating public meetings relative to the project
- Negotiate and administer contracts; review and approve general contractor bid documents as they pertain to the implementation of the artwork
- Work with the Project Agency and project team to coordinate the roles and responsibilities of design professionals, artist and general contractor relative to the artwork
- Facilitate the development of the site specific educational programming, working with the Site Committee and artist
- Consult with the artist and professional conservators when appropriate regarding possible conservation and maintenance issues.
- Provide project management services as necessary throughout all phases of the project and provide periodic reports to the Oversight Committee
- Work with the Site Committee to prepare and distribute publicity concerning the Art in Public Places program and specific projects
- Work with the Site Committee to plan and host the dedication ceremony

- At the completion of the project, make a recommendation to the Oversight Committee for formal acceptance of a completed work of art as part of the accessioning/documentation procedure
- Enter the completed work of art into Oklahoma Public Art Collection including all collection management systems and maintenance schedules.
- Develop and execute programs for raising awareness of the Art in Public Places program, and for all educational, tourism and economic development components of the Division.

SITE COMMITTEE RESPONSIBILITIES

- Determines and presents the following to the Oversight Committee for their recommendations and approval:
 - A detailed description of the project and artist selection process
 - type of artwork that would be appropriate
 - characteristics of the anticipated site
 - Location and site which must be in an area where its visibility will benefit members of the public and employees of the state. An appropriate space for public art would be a space accessible, open to, or that can be seen by members of the public, including hallways or offices visible through clear glass windows or partitions
 - Use by public
 - Historic, ethnic or other characteristics of the site
 - Conditions that would affect or inform the artwork
 - amount of funding available
 - application requirements and process
 - time frame for review process
- schedule and coordinate public meetings
- review eligible Call for Entries and/or proposals and make artist selection or selection of existing work of art to submit to the Oversight Committee for final approval
- participate in the three phases of design with the AIPP staff and artist as outlined herein
- develop media releases from the templates provided by the AIPP staff and distribute
- work with artist and AIPP staff to develop a project-specific educational program for tourism and public school curriculum
- coordinate and host the dedication ceremony working with the AIPP staff

Composition of the Site Committee

It is important for a Site Committee to reflect a high level of artistic and aesthetic experience and accomplishment as well as the history, views, and opinions of the project site, whether it be the users of a facility or residents living near a highly visible project site.

The panel should include diverse members who are familiar with or have a stake in the project site, artists who are knowledgeable about public art and others whose perspectives can add further dimension to the deliberations.

Each Site Committee shall include:

- The Art in Public Places Division Director

- The project agency appointing authority or designee
- The project architect
- Not less than one local arts professional
- Not less than one local artist
- Not less than two community representatives
- Not less than one art educator appointed by the project agency director

When a project meets the criteria for using the Artists' Registry (if the allocation for the art is between \$3,000 and \$6,000), a smaller Site Committee may be used. In this abridged format, the Site Committee consists of the project agency appointing authority or designee, the project architect, two local arts professionals and a community representative. All other requirements and duties of the Site Committee as described herein are the same.

Whichever method of artist selection is utilized, the Director of the AIPP programs is a nonvoting member of the Site Committee. They serve as a facilitator for the process and provide input and guidance to the Site Committee. Site Committees can appoint other nonvoting or advisory members (e.g. technical experts) whose responsibilities must be clearly articulated and communicated to them so they understand their limited role in the process.

Conflict of Interest Policies for Site Committee members

All voting and nonvoting Site Committee members must execute a conflict of interest agreement stating they will refrain from conduct which creates an appearance of impropriety or otherwise impairs their judgment in the selection of a site, finalist or artist and that they may be asked to withdraw from the Site Committee if they engage in such conduct.

Quorum

A majority of the Site Committee constitutes a quorum. A quorum is required for a vote and decisions will be made by a majority vote.

Duration

The Site Committee is limited to the duration of the project.

ARTIST SELECTION PROCEDURES

The decision making process should strive for the most creative, highest quality artwork for a given site.

When public art involves public money, the development of an accountable selection process—that is, one which accommodates public participation—is a program priority. Relevant information about the social and physical context for the artwork is critical to an informed and appropriate selection.

The artist should be selected as early in the process as possible. It is strongly encouraged to plan for the inclusion of the art component with the input of the architect.

SITE COMMITTEE GUIDELINES FOR ARTIST SELECTION METHODS

There are acceptable combinations and options of artist selection methods within these guidelines, for instance a Committee may choose to begin with a Request for Proposals instead of a Request for Qualifications due to a lack of time or funds. However, it is always preferable for the Site Committee to begin with a Request for Qualifications, narrow the field to 3-5 candidates and then have the finalists submit proposals for which they are compensated.

These Guidelines also contain a method by which projects with total construction costs of \$250,000 up to \$500,000 may select an artist from those pre-qualified in the Artists' Registry.

- **Defining Project** - The Site Committee, with input from stakeholders and community members, define the project and identify preliminary opportunities, project scope, timelines and budget based on the characteristics of the anticipated site.
- **Submit Project Scope to Oversight Committee** The Site Committee submits its recommendations defining the project, including location, media, and method of artist selection for project, to the Oversight Committee.
 - If recommendations are not approved, the concerns will be given to the Site Committee so they can address said concerns and resubmit to the Oversight Committee.
- **Developing and Advertising a Call to Artists** - After receiving approval by Oversight Committee, the Site Committee submits appropriate text and support materials, e.g. drawings, plans, photographs, timelines, schedules, etc. to AIPP. AIPP staff drafts call for entries and submits to Public Art outlets and/or individuals.

METHODS TO SOLICIT SUBMISSIONS FROM ARTISTS FOR PUBLIC ART PROJECTS

- **Open Competition** - A call to artists is broadly advertised and any artist is eligible to submit materials for consideration. Eligibility and distribution may be local, regional, national, or international as appropriate. Site Committee members may also be asked to nominate or recommend potential applicants.

- Then applications from the call are reviewed and
 - an artist may be selected directly, or
 - 3 to 5 artists are short listed to develop and submit more detailed information; in this case the artists visit the project site and receive more detail information
- **Limited Competition** - A list of artists, a minimum of 3, is recommended by the Site Committee and/or staff for application for a specific project. The list may be developed based on specific criteria for the project, e.g. proficiency in a particular material or construction method such as glass, lighting design or large-scale outdoor sculpture. Artists may also be prequalified by a selection panel or program staff. A limited competition may seek either qualifications (RFQ) or proposals (RFP) from artists. If proposals, the number of artists is generally limited to 3 to 5.
- **Nominations** - Site Committees may request that specific artists are nominated to be considered for the project. Nominations may be used as a form of limited competition or may be used in combination with any of the previously described methods of selection.
- **Artists' Registry** – For projects with total construction costs of \$250,000 up to \$500,000, the Site Committee has the option of a modified process utilizing the Artists' Registry and lessening the number of Site Committee members.

In lieu of issuing a Call for Entries for a project, the Site Committee may opt for reviewing the artists in the Artists' Registry who work within the site's budget and media. The Site Committee may select a limited number of artists (3-5) to participate in submitting concepts for the project or may choose only one artist to develop a plan for the site-specific artwork.

The Artists' Registry is a roster of professional artists eligible for art projects through the Oklahoma Art in Public Places program. These qualified artists represent cultural and geographical diversity as well as a wide variety of media, techniques, styles and approaches.

Every two years, the Oklahoma Art in Public Places Program holds an open competition to select artists for inclusion on the Artists' Registry. A professional review jury selects artists based on artistic merit. Jury members include artists, arts educators, members of the Art in Public Places Oversight Committee and art professionals. The jury members change each time a competition is held. This review ensures that the artists whose work is commissioned through the program have high artistic merit and that Site Committees are viewing the work of professional artists.

This process is beneficial when the art allocation is modest--between \$3,000 and \$6,000-- because it lessens Site Committee and staff time without sacrificing the quality and professionalism of the pool of artists.

Also, in an instance when the art allocation is in this range, an abbreviated Site Committee may be used. In this abridged format, the Site Committee consists of the project agency appointing authority or designee, the project architect, two local arts professionals and a community representative. The Director of the Art in Public Places program is a non-voting member of every Site Committee.

CALL FOR ENTRIES

- **Method**
 - **Request for qualifications (RFQ)**; applications are evaluated primarily on the artist's qualifications as demonstrated by past completed artwork and a resume. This method is the recommended structure for a majority of public art projects and will generally be used unless specific issues such as time, complexity of the project or budget, make another method preferable.
 - **Request for proposals (RFP)**; applications are evaluated on their specific conceptual proposal for a project and on past work and resume
- **Contents**
 - Project description, goals, site description, facility's purpose and history of facility
 - 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
- **Advertising**
 - Advertise, within a specific area, nationally, regionally or locally, whenever possible for at least 8 weeks to allow artists sufficient time to respond.
 - May advertise through direct mailings, local and national publications, websites and list serves and all calls for entries will be posted on the Oklahoma Arts Council website.
- **Response**
 - AIPP answers questions regarding Call and receives applications. Staff weeds out late or disqualified applications and logs in all eligible applications. Applications are then prepared for Site Committee to review. Staff prepares voting sheets or gives template to Site Committee to have them prepare ballots.
- **Media Packets**
 - The Site Committee receives a media packet containing templates for three releases which they can complete and send out at the appropriate times during the project. All other contact with the media will be through the AIPP office.

ARTIST FINALISTS SELECTION

- **RFQ Selection Method** - Criteria for selection of artist/design team should include but not be limited to:
 - Have an appropriate education and background
 - Demonstrate knowledge of similar public art projects in the past
 - Have successfully worked with other artists, design teams, architects and others likely to be involved in the project
 - Have completed public art projects on time and budget in the past
 - Demonstrate a high level of artistic and technical quality in their work

- When desired, an RFQ can specify that artists who do not have a history of creating public art, can apply with a well planned proposal and budget, without payment, in order to compensate for lack of experience.
- **RFP Selection Method** - Criteria for selection of artwork should include but not be limited to:
 - Artistic excellence
 - Technical competence
 - Suitability to potential site
 - Conceptual compatibility
 - Relation to the function of the site
 - Strong contribution to the historic, ethnic or other characteristics of the site
 - Structural and surface integrity
 - Accessibility to public
 - Resistance to damage by vandalism, weather or theft
 - Ease of maintenance
 - Mediation of environmental hazards
 - Compliance with applicable public safety codes

Site Committee Responsibilities

- If appropriate, Site Committee narrows field of viable candidates down to three to five finalists. The finalists are all given a draft of the contract with the State before detailed proposals are requested.
- Site Committee members check references for all short-listed candidates using a standard list of questions used for all finalists.
- RFQ will have stated if finalists will be asked to develop a site-specific proposal for a fee that will be evaluated by the Site Committee; or whether the final selection shall be made upon the basis of an interview between the artist and the Site Committee.
- Panelists consider what specific issues or points they wish the finalists to address, whether in proposal or interview format. A list of questions is developed to pose to each of the finalists.

FINALISTS' DEVELOPMENT OF PROPOSALS

- If the short-listed artists are invited to develop more detailed proposals as the next step of the selection process, finalists may execute a Design Fee Agreement that details the proposal requirements and sets forth deadlines, fees to be paid, and a sample of the standard contract that is to be entered into between the artist and the State.
- Finalists have an on-site project orientation, if time and budget permit. During the on-site visit, they also meet with the Site Committee, community and others involved in designing or constructing the project.
- If an on-site visit is not possible, the finalists must be furnished with detailed information including, but not limited to, architectural drawings, renderings, description of the proposed program for the facility, community

demographics, photographs of the site and the surrounding areas, and other relevant information that will help in the development of a considered proposal. However, it is always preferable to have the finalists experience the site personally.

- After receiving this information, finalists should be given at least 8 weeks to develop more detailed proposals.

ARTIST INTERVIEWS/PRESENTATIONS

- The finalists present their proposals in person to the Site Committee. The Committee meets all of the finalists on the same day.
- Following the interviews, the Site Committee lists the artists in order of their preference for awarding the commission. Their recommendations are then submitted to the Oversight Committee for final approval prior to awarding a contract.

PURCHASE OF EXISTING WORK OF ART

For projects with a budget of less than \$3,750, the Site Committee may choose not to commission a work of art, and may conduct a search for an appropriate work of existing art and purchase it. This method is only encouraged for projects with a budget of less than \$3,750.

For direct purchase of existing artwork:

- Site Committee must define the project, location, etc. so they can search for an appropriate work of art
- Site Committee submits plan (location, media, approximate size, etc.) to Oversight Committee for approval
- AIPP staff solicits slides or computer generated images of existing artwork that meets the project criteria
- Site Committee members may submit images of works of art that meet the project criteria for consideration. However, as with all selections of artwork, the appearance of any conflict of interest is prohibited. The Site Committee may not choose artwork created by a family member or close associate of any Site Committee member.
- Site Committee selects suitable artwork and submits images of artwork and supporting material to Oversight Committee for approval

OVERSIGHT COMMITTEE APPROVAL

When a Site Committee submits a project proposal to the Oversight Committee for approval, the Oversight Committee has three options:

- to endorse the Site Committee's recommendation
- accept the recommendation with modifications
- the Oversight Committee doesn't accept the first choice of the Site Committee and reverts to the second ranked artist but only with a detailed explanation of their reasons for not accepting the recommended artist.

Criteria for the Oversight Committee for approval of AIPP projects

- High level of artistic vision and technique
- Maximum visibility and public benefit
- Public safety
- Integration with the site
- Educational value
- Permanence, or ease of relocation, if appropriate
- Compatibility with the type, scale and scope of potential public or private projects
- Security
- Protection from improper or unnecessary physical contact
- Protection from heat, air conditioning, direct sunlight or other harmful element in interior settings, unless the artwork is designed for such exposure
- Ease of maintenance of artwork
- Avoidance of interference with vehicular or pedestrian traffic patterns
- Avoidance of interference with operational functions (lawn or grounds care, etc.)

CONTRACT WITH ARTIST

- **Notification** - After the decision is made and approved by the Oversight Committee, the Site Committee is informed and the artist is officially notified by the Director. The notification will be in writing and will describe the nature of the project and explain the project development process. In most cases, the Artist is given 30 days to accept or decline, in writing, the offer to enter into contract negotiation. If the artist does not respond to the letter within the 30 day period, the commission or purchase will be offered to the first alternate artist.
- **Contract form** - There is a standard form for contracting with artists. The scope of work, schedule and payment schedule shall be adapted for each project. The AIPP Director will facilitate negotiations to expedite agreement of a fair and equitable contract with each artist.
- **Artists and agents** - The AIPP program will deal directly with the artists, although artists may delegate some aspects of a project to their agents. Relationships and financial arrangements between artists and their agents, representatives and/or galleries must be undertaken by the artist alone.

DESIGN PHASES

Depending on the complexity of the artwork, 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 Site Committee and community groups.

- The artist will then begin to work on the conceptual design or refine the design if selected through a proposal process.
- The conceptual design (which may include several alternatives) will be approved by the Site Committee and then presented to the Oversight Committee for approval.

Preliminary Design

- Once the conceptual design is approved, the artist shall proceed with preliminary design.
- The artist shall consider any changes requested by the Site Committee or the Oversight Committee, revise and refine the design
- The artist shall conduct necessary content or materials research to complete the design
- The artist shall prepare a final budget, including costs for fabrication, materials, labor, transportation, installation, insurance, artist fee, and contingencies as negotiated.
- The artist shall determine the fabrication and installation techniques and requirements
- The artist shall 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 Site Committee for approval of significant changes that have been made.

Final Design

- The artist shall 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 Site Committee 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 Site Committee, or to review the project with conservators, or other specialists. The Site Committee 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 Site Committee and 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.

EDUCATION PROGRAM DEVELOPED

The Site Committee works with the artist to develop a project-specific educational program for tourism and schools. 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. AIPP must receive a copy of said program and any pertinent materials within thirty days after installation of the artwork.

Education Outreach Activities

In order to promote better public awareness, understanding, appreciation and access to the public artworks and to encourage Oklahoma artists to participate in public art projects in Oklahoma and elsewhere, it is the responsibility of the AIPP to include the following:

- Have an informative, educational web-site created that includes:
 - Information about program
 - Artwork in progress
 - Collection of artwork with virtual tours
 - Calls for entry
 - Educational material on projects
 - Public art resources
- create appropriate acknowledgment of the artwork (the plaques)
- develop series of artwork trails/walking tours
- develop a program of events based around public artworks, including but not limited to conferences, symposia, workshops, artist's lectures, community meetings and public tours
- produce and regularly distribute promotional and publicity materials, including press releases and public service announcements, brochures, CDs and publications
- develop workshops, resources and materials for artists
- maintain copies of all educational materials created for each site
- cooperative programs with arts groups, educational institutions and community organizations

PROJECT DOCUMENTATION

- Project progress is regularly documented by program staff with narratives and photographs.
- Program staff also facilitates communication between artist, Site Committee, and Oversight Committee during process.

DEDICATION CEREMONY

- The Site Committee and AIPP staff coordinate dedication ceremony.

PROJECT COMPLETION

- The art component must be completed and installed at the completion of an agency's capital project.

INSURANCE

- AIPP arranges for insurance with DCS.

FINAL ACCEPTANCE

- Artist advises AIPP in writing that all services required of them have been completed. (including post-installation obligations)

- AIPP staff or representative notifies the artist in writing of its final acceptance of the artwork. Final acceptance is determined by the AIPP staff and Oversight Committee and is the acknowledgement that the artwork has been completed and installed according to all agreements and contracts.
- After the final acceptance by the Oversight Committee, title of ownership of the artwork passes to the state.

CONSERVATION AND MAINTENANCE RECORDS

- Conservation record is completed by artist along with or including a maintenance plan for appropriate maintenance and preservation of the artwork and given to AIPP office within thirty days of installation.
- A list of qualified conservators is to be furnished by the artist.

ACCESSIONING OF THE ARTWORK

- The artwork is accessioned (primary information, condition report and photos) into state's collection and put on a maintenance schedule.

EVALUATION OF PROGRAM

- Evaluation forms are to be completed by the Site Committee members (re: the process and the artist) and the artist evaluating the process.

PHOTOGRAPHIC RECORD AND INFORMATION FOR LABELING OF ART

- The artist submits to the AIPP a full written narrative description of the artwork
- The artist furnishes the AIPP staff with the following photographs of the artwork as installed before final payment is made:
 - two sets of 35mm labeled color slides of the completed artwork, one taken from each of three different viewpoints; and
 - two high quality CDs of the completed work

MAINTENANCE AND CONSERVATION PROCEDURES

List each work of art on the master inventory and maintenance schedule

- **Each piece of artwork should include the following information:**
 - Acquisition documents and an acquisition number using the AAM's accepted methods
 - Artist's name, social security number, address, phone numbers, e-mail address
 - Artist's biography
 - title of artwork and date completed
 - Edition, if appropriate
 - Purchase price and insurance value
 - Narrative description of artwork
 - Other descriptive or identifying information
 - Location of artwork
- **Conservation information to include:**
 - Materials and sources used in the artwork
 - Methods of fabrication and who did the work
 - Installation specifications
 - Method and frequency of maintenance
- **Administrative information to include:**
 - Legal instrument of conveyance
 - Artist contract
 - Significant agencies or organizations involved and roles and responsibilities'
 - Significant dates
 - Permits and project costs
 - Insurance information
 - Photographs, architectural/engineering and media documentation
- Examine all artworks on a regular basis to develop a history of condition reports that represents the current condition of the works of art
- Arrange for professional conservation of all works of art in a planned and orderly manner and provide any services necessary to the preservation and/or restoration of the artwork

DEACCESSIONING AND RELOCATION PROCEDURES

Reasons for Deaccession, Relocation or Disposal

Relocation of any site specific artwork must involve the artist. A work of art may be considered for deaccession, relocation or disposal for one or more of the following reasons:

- The condition or security of the work of art cannot be reasonably assured in its present location

- The work endangers public safety
- The work is damaged and repair is not practical or feasible, or it no longer represents the artist's intent
- The work requires excessive maintenance or has faults of design or workmanship
- A suitable site for display of the work is no longer available. This could include a significant change in the use, character, or design of an existing site which affects the integrity of the work or its display
- The work is not or is rarely displayed
- The work has received significant and sustained adverse public opinion for a period of five years (in this case, a public hearing must be held)
- The quality, authenticity or provenance of the work is called into questions
- The work has been stolen.

Process for deaccessioning or relocating a work of art in the public art collection begins with Oversight Committee.

- A request for review of a work of art can be submitted by the artist, a member of the Site Committee, the Oversight Committee or an outside party.
- The Site Committee that approved the acquisition will reconvene, if feasible, to review the request for deaccessioning or relocation.
- If not feasible, the Oversight Committee will convene a committee with representation from the agency, community and professional expertise to develop recommendations regarding deaccessioning or relocating the artwork under review. The recommendations from that committee will be referred to the Oversight Committee for action.
- It must be determined that relocation of the artwork would not violate any of the artist's rights under VARA.
- AIPP will notify the artist in writing of the reason the artwork must be removed from the site and allow the artist 60 days to respond. If the artist does not respond, the site is authorized to remove the artwork.

A request for review for relocation of artwork that was commissioned for a specific site will be considered for one or more of the following reasons:

- The site is being eliminated or changed and the artwork is not longer suitable
- Security of the artwork can no longer be ensured
- The artwork endangers public safety.

A request for a review for deaccession should include:

- The reason deaccessioning is requested
- The estimated current value of the work
- The acquisition method and cost
- Written evaluation from disinterested and qualified professionals such as an engineer, conservator, architect, safety expert or art historian
- Photographs indicating the current status of the work
- Contract with the artist or any other relevant agreement concerning the artist's rights
- Written recommendations of other concerned parties including members of the agency, community, the artist and the outside party

- Cost estimate for removing the artwork and, if applicable, disposing of the materials
- All written correspondence concerning the work

Review process for deaccessioning or disposal of a work of art

- The Site Committee shall discuss the recommendation with the artist, if he/she can be notified by reasonable means
- The Site Committee will gather written opinions of several independent professionals qualified to make recommendations (conservators, architects, engineers, safety experts, art historians, etc.);
- The Site Committee will review and discuss all evidence of public comment and debate at an open public meeting
- The Site Committee will issue a recommendation based on these policies to the Oversight Committee
- If recommended solutions or other reasonable measures do not exist to address the concerns, the Oversight Committee shall consider the removal or disposal of the work.

If removal or disposal is directed, the Oversight Committee shall consider, in order of priority, the following:

- Relocation or resiting
- Removal of the work and placement in storage, with the intent of finding a new site for the work. If a new site is not found in a five-year period, disposal of the work shall be considered
- Removal and deaccessioning of the work from the collection by sale, trade or gift
- Destruction of the work

Disposal of artwork

- Works that are deaccessioned can be disposed of in the following manner, excluding any prior contractual agreement entered into by the State of Oklahoma with the artist at the time of acquisition
 - For the current market value to the original artist or his/her heirs
 - As a gallery consignment
 - At auction, in accordance with the standard practice with a predetermined opening bid
 - Or after exhausting above disposal methods, transferring ownership without consideration to:
 - The artist or the estate of the artist
 - A non-profit agency
 - Another government agency
- Funds received from the sale of deaccessioned art shall go to the Oklahoma Historical Society for deposit in the Art in Public Places account