

CITY OF SANTA MONICA PROCEDURES FOR ARTIST SELECTION

I. POLICY

The City of Santa Monica wishes to ensure that artists commissioned under the City's Public Art Program produce work of the highest quality and public benefit. Therefore the City has adopted the following artist selection procedures.

A. Process

Artists commissioned by the City will generally be selected through a process overseen by staff from the City's Cultural Affairs Division, or Department of Community and Cultural Services

B. Artist Selection Panels

1. Panel Composition:

An artist selection panel will be formed for most projects¹. Panels will have three to five members and include a majority of individuals who have a background or professional expertise in the arts. The number of panelists will be proportionate to the dollar value and complexity of the project.

The following groups may have representation on panels:

- One or more practicing artists.
- Other arts-related professionals or knowledgeable individuals including curators, art historians, architects, designers, writers and critics, arts administrators.
- Community representatives with a relationship to the proposed project.
- The lead project designer.
- City staff representatives from client departments who will serve as non-voting advisors to the panel.
- Members of sponsoring entities including affected City Boards and Commissions who will serve as non-voting advisors to the panel.

¹ With the exception of art in architecture projects where the artist may be selected by the City as part of the overall design team. See section D.1.e.

2. Panel Formation:

Cultural Affairs Division (CAD) staff and the members of the Public Art Committee (PAC) will annually solicit recommendations for a pool of qualified people interested in serving as panelists. A request for panelists shall also be posted on the Division's web site. The PAC will approve a list of potential panelists for CAD staff to use in composing panels and this list will be updated annually. Panelists shall not serve on a panel more often than once every two years.

CAD staff, with review by the Assistant Director of CCS, will invite people to serve on specific project panels with the goal of shaping a group that balances knowledge in art and design, the project's objectives, community concerns, and diversity (ethnicity, age, gender). The panels will meet the composition guidelines outlined above.

3. Conflict of Interest:

Anyone in a position to receive financial gain from the selection of artists will be ineligible to serve on a selection panel. Panelists must declare any conflict of interest and recuse themselves if a conflict of interest arises.

In addition, artists or members of their immediate family who serve on the PAC or the Arts Commission will not be eligible for art commissions or to receive any direct financial benefit from the Program during their tenure. This restriction will extend for the period of one-year following the end of service and indefinitely for projects that were developed or acted upon during the artist's tenure on the Public Art Committee or Arts Commission.

4. Panelists fees:

Panelists, with the exception of those working on the project in a professional capacity, will receive an honorarium for their services. The honorarium will be based on a schedule developed by City staff and will be updated periodically.

C. Panel Procedures

Cultural Affairs Division staff will facilitate all artist selection panels (panel). Prior to the panel's first meeting, staff will send each panelist a project description along with written instructions outlining duties and responsibilities.

1. Criteria

Panelists will use the following general criteria in evaluating artists:

- Ability to respond to the specific contextual issues and considerations of a particular project, its community, any stakeholder groups and users.
- Ability to successfully manage all aspects of the project including budgets, committees, sub-contractors, installers and other construction and administrative logistics.
- Credentials, including experience, training, and critical or other professional recognition.
- Ability to work collaboratively with diverse professionals.

If an artist is presenting a specific proposal, the following additional criteria may apply:

- Evaluation of the proposed materials and their appropriateness to the project, including issues of aesthetics, durability, ease of maintenance, protections against theft or vandalism, etc.
- Analysis of the artist's proposed method of installation and an evaluation of the safety and structural factors involved.
- Evaluation of the proposed budget.

2. Procedures

The date of the panel will be announced at the Public Art Committee and Arts Commission meetings and panels will meet in open session. Panelists will use consensus in their decision-making unless a failure to reach a decision requires a formal vote, determined by a simple majority.

Panelists may elect not to recommend any applicants for the project, in which case staff will recommend another round of artist selection or an alternative process to the PAC.

D. Artist Selection Methods

1. General Procedures and Selection Options

For each new project, Cultural Affairs Division Staff will work with the client department, sponsoring entity and stakeholder groups as appropriate to identify goals for the art, as well as potential issues and concerns that might impact artist selection.

Based upon this information Cultural Affairs Division Staff with the Assistant Director of Community and Cultural Services will recommend an appropriate artist selection method including any artist eligibility requirements as outlined below to the PAC for consideration and approval. The PAC's action will be reported to the Arts Commission for information at the following Arts Commission meeting and the Commission will be provided with an opportunity to give input on stakeholder participation.

a. Request for Qualifications (RFQ):

This method is the preferred method for selecting artists for a majority of public art projects and will generally be used unless specific issues, such as the timeline, the complexity, or the goals of project, make another method preferable.

The City may issue an RFQ notifying artists of a specific public art project. In some cases, due to scheduling issues, the City may issue an RFQ for multiple projects at the same time.

The panel's preliminary round of selection will be based upon submittals of credentials and past work. Generally, a short list of finalists will be invited to interview and one artist, and an alternate will be selected. Alternatively, if the design process is sufficiently advanced that a context has been established for the artists to respond to, each of the finalists may be asked to develop a preliminary proposal, which will be evaluated during an interview. If a preliminary proposal is requested, an honorarium will be paid to the artists.²

b. Request for Proposals (RFP):

An RFP process is an appropriate method of selection for existing sites/facilities or in cases of projects with small budgets for which entry-level artists are being targeted. This is not an appropriate selection process for projects where a design team approach is desired. Further, it is important to note that few established artists will respond to an open RFP since it requires that they invest a good deal of time developing a proposal without remuneration. Entry-level artists will apply in order to build their reputations.

The City may issue an RFP requesting conceptual proposals and detailing the proposal requirements. The respondents' proposals will provide panelists with an understanding of the artists' thought process or approach. The panel may choose to invite several finalists to interview prior to final selection. Artists responding to an RFP will not be compensated for proposals.

c. Invitational Competition:

This process is particularly appropriate in the case of complex projects where a limited number of artists may be capable of successfully competing. It is also appropriate in a case where there are severe schedule restrictions.

² Artists will generally receive a proposal fee equal to one percent of the project art budget, with a minimum of \$500 and a maximum of \$5,000.

Based upon the project requirements submittal of qualifications or a specific proposal may be requested. Invitational competitions may also be conducted in two stages, with the first phase based on qualifications and the second phase based on a proposal. Artists invited to develop proposals will be compensated.³

d. Pre-qualified List:

The Arts Commission may also choose to develop a pre-qualified list from which to select artists for projects where the City requires design teams to include an artist as a team member. To establish a list, an RFQ is issued and the panel will review applicants' submittals to form the list.

e. Design Team:

In some instances the City may use a targeted process to select an artist as part of a larger project design team. Language would be added to the project Request for Qualifications/Request for Proposals specifying that all teams responding to the RFQ/RFP must include a professional artist from a pre-qualified list as described in (d), or given the nature of the project a design team responding to an RFQ/RFP may be asked to identify an artist as part of the team based upon criteria established by the City in the RFQ/RFP. The CAD Manager will represent the Program as part of the selection committee for the design team.

2. Artist Eligibility:

Specific artist eligibility requirements may be established for certain projects. For example, some projects may be restricted to artists living in Santa Monica, others may be open to artists from Southern California, and still others may be open nationally or internationally. This may have to do with the scale or budget of the project or it may have to do with the objectives for a specific project. For example, a project may be deemed an excellent opportunity for new or emerging local artists or it may be a very important and complex project that would benefit from a larger search.

In order to ensure that the City of Santa Monica builds a diverse collection that is representative of the wealth of aesthetic and cultural options present in contemporary society, artists will not be eligible for consideration for new projects if they are currently under contract for a City project. Nor will artists be eligible to receive more than one permanent public art commission from the City in a three-year period from the date the original contract was executed. Artists who are currently employees or other officials of the City of Santa Monica are also not eligible for public art projects.

³ See previous footnote.

3. Artist Approval

Regardless of the selection method, the panel will forward its final recommendation to the PAC for approval.⁴ The PAC's action will be report to the Arts Commission. If the PAC disagrees with a panel recommendation it will direct staff to reconvene the panel to present the specific concerns for their consideration and subsequent reconsideration by the PAC.

E. Contract Administration

Artists will be contracted with the City under one of the following options, depending upon the type and scope of the project:

- For amounts within the staff's budget authority either a purchase order or contract may be developed and managed by the Cultural Affairs Division;
- For amounts over the staff budget authority⁵ a contract subject to City Council approval will be developed and managed by the Cultural Affairs Division;
- Sub-contract with the lead firm on the design team--this option to be determined by the Project Manager in consultation with the Cultural Affairs Manager;
- Sub-contract with the contractor on a design-build project type -- this option to be determined by the Project Manager in consultation with the Cultural Affairs Manager.

In the case of an artist being included in a larger design team, the Cultural Affairs Manager will act as the liaison with the artist and will participate in all design related meetings as part of the city project team.

⁴ With the exception of artists who have been included as design team members as described in section D.1.e. In this case the PAC will simply be notified of the selection of the entire design team as an information item at the next regularly scheduled meeting and a status report will also be transmitted to the Arts Commission.

⁵ Staff budget authority at time of publication: \$55,000