

**ART IN CITY CAPITAL IMPROVEMENT PROJECTS**

**POLICY STATEMENT**

As a policy the City will budget one percent (1%) of its construction costs to include public art for City capital improvement projects that have a visual impact on the surrounding environment by altering a site through new construction or reconstruction. The Public Art Commission, through its staff liaison, will work with the appropriate City departments (which may include but are not limited to Planning, Public Works, Utilities, and Community Services) to identify and select the appropriate projects and artists.

**PROJECTS INCLUDED AS POTENTIAL SITES**

City capital improvement projects that have a visual impact on the surrounding environment by significantly changing or altering a site with the addition of a substantial new construction or reconstruction are potential sites for an art component.

Examples of projects may include but are not limited to:

- New buildings such as libraries, public safety buildings, community centers, parking garages and lots, transit stations, or performing art center.
- Parks and plazas
- Gateways entering and existing at the City boundaries
- Bridges, walls and tunnels

**PROJECTS EXCLUDED FROM CONSIDERATION AS POTENTIAL SITES**

City capital improvement projects with minor or no visual impact are excluded from consideration.

Examples of excluded projects may include but are not limited to:

- Any improvements, upgrades, and/or repair to existing systems such as irrigation, mechanical or electrical, and projects where the significant portion of the work is placed in underground locations, such as the Electric Utility undergrounding projects and the Water Utility, Gas Utility or Wastewater Utility rehabilitation and augmentation projects.
- Any installation of a new system such as irrigation, mechanical or electrical, and projects where the significant portion of the work is placed in underground locations, such as the electric undergrounding projects and water, gas or wastewater rehabilitation and augmentations projects.
- Projects with no design or construction, such as studies associated with capital projects.
- Customer connection projects associated with the utility meters and equipment for electric, water, and gas services to customers for which customers are charged for

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the services. It is not the intention of the procedure to cause an increase in connection fees to customers.

- Projects designed and constructed to protect and guard the security of City Utility facilities.
- Projects associated with software, hardware and other IT related products.
- ADA compliance
- Seismic retrofitting
- Open space maintenance projects such as trail and erosion repair
- Parking lot repair or reconstruction
- Annual street maintenance and sidewalk replacement projects
- Any project of a temporary nature such as construction fencing and signage, vehicle or equipment replacement.
- Projects for which funding is provided through government, non-profit, or private grants are excluded unless identified for the specific and restricted purpose of the creation of artwork

### **PROCEDURE FOR IDENTIFYING AND SELECTING PROJECTS**

- A. The staff liaison to the Public Art Commission working with the Infrastructure Management Committee and appropriate City departments will first identify projects that have a visual impact on the surrounding environment, significantly changing or altering a site with the addition of substantial new construction.
- B. Identified projects that merit further consideration will be presented to the Public Art Commission. Consideration will include, but not be limited to:
  - Significant visual impact on the surrounding environment
  - Safety and security of the project and the public
- C. Projects selected to include public art and submitted during the regular budget process will include one percent (1%) of the project construction budget for art. The project manager will determine the one percent budget derived from the construction estimates, excluding the contingency and design budget. The one percent (1%) will be augmented or decreased during the design phase with the determination of final cost estimates for construction.
- D. The Finance Committee will review and recommend to the City Council the financing of any public art element in any Infrastructure Management project costing over \$20 million and all projects that may impact the General Fund.
- E. Every effort should be made to identify and select projects in a timely manner.

### **PROCEDURE FOR IDENTIFYING AND SELECTING ART WORKS**

Once the City Council has approved the Capital Improvement Project (CIP), the designer/architect is selected by the City's Project Team and purchasing staff. When the

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design work for the project has begun, the staff liaison to the Public Art Commission and the Project Manager will develop the RFP in consultation with the selected designer/architect. The art budget will be derived from the 1% of the construction budget of the project, excluding the contingency and design budget. The one percent (1%) will be subject to change during the design phase with the determination of final cost estimates for construction. The RFP will include, but not be limited to:

- Artist's timeline beginning with the project design phase.
  - Any restrictions and requirements of the project as defined by staff and/or project manager.
  - Artist's responsibilities to the project in regards to time and involvement with the project manager and project team.
- A. Selection of the artist will include input from the appropriate City department representative as well as the Public Art Commission. Selection of the artist will occur according to the procedures outlined in the City's Purchasing Manual.
- B. Artists' submittals will be reviewed by a selection panel composed of representatives of the Public Art Commission, staff liaison to the Public Art Commission, appropriate City department representative, project manager, and architect/designer. Considerations in selecting the proposed work of art will include:
- Safety and security
  - Maintenance and repair to the work of art
  - Appropriateness to the purpose of the site
- C. The Public Art Commission will recommend the selected artist and artist's proposal to the City.
- D. The selected artist will work with the appropriate department(s) and project manager as noted in the RFP and contract .
- E. Every effort should be made to conduct the artist selection and contract process in a timely manner.

### **OWNERSHIP AND MAINTENANCE**

The City of Palo Alto owns and maintains all art in City projects and has sole fiscal responsibility for the artworks and the maintenance of the works. This includes all artworks in utility projects, separate from the structures.

*NOTE: Questions and/or clarification of this policy should be directed to the Community Services Department.*