

Town of Collingwood Public Art Procedures

ADMINISTRATION

Public Art projects may be proposed by the Arts & Culture Division, Parks, Recreation and Culture staff or advisory Committee, or other municipal departments. They may also be initiated through private donation, grants or through partnerships with organizations including community groups, businesses, developers, schools and non-profit or charitable organizations.

Municipal Public Art projects will be facilitated by the Parks, Recreation & Culture department with consultation and involvement of municipal departments at various stages as appropriate, and in particular Planning and Building Services, Engineering and Public Works and Parks staff.

The Town may acquire ownership of original works of art in any media through direct purchase, commission or donation.

The public art procedures outlined on the following pages provide a framework for staff in planning a public art project, acquiring or accepting public art and selecting artists.

On June 6, 2011 the 5 administrative procedures were approved by Council.

While each public art project has unique challenges and opportunities, taking into consideration all the appropriate best-practice approaches, the public art procedures will ensure that:

1. The selection process is open and transparent; terms and conditions are clear, accessible & fair
2. The process is efficient, while allowing for reasonable public input
3. Artists are treated fairly and compensated reasonably for their work
4. The art is:
 - Suitable for the location
 - Representative of the best work available for the budget
 - Designed and installed with reasonable requirements for maintenance and upkeep
 - Is authentic in its cultural provenance and reflects a responsible use of cultural knowledge, material and expression¹

¹ Protocols for producing Indigenous Australian visual arts, Australian Council for the Arts, NSW, September 2007, p14 & 36

Initial Planning Procedures and Site Plan

The following considerations will be made prior to the accession of public art by commission, donation or purchase. For projects of \$25,000 or more, a Site Plan will be developed and include these elements.

1. Budget: Prior to initiating a public art project, an adequate budget for the artwork, including site preparation, installation and artist's fees will be in place. Budget Considerations:
 - Costs related to advertising for artists
 - Payments (fees and/or travel costs) to shortlisted artists for concept development
 - Jury panel meetings and payment to special consultants for reviewing the concepts, if required
 - Installation and associated insurance costs
 - Project reports
 - Project launch event, acknowledgement plaque, publicity
 - Applicable taxes
 - Maintenance: Public Art Policy requires that 10 percent (10%) of public art project budgets be set aside for ongoing maintenance of the art.
 - Artist's fee, expenses and travel costs.
2. Site requirements: In discussions with appropriate municipal departments determine:
 - Necessary site preparation prior to art installation.
 - Department/individual responsible for site preparation work
 - Equipment required and by whom
 - Required site clean-up following installation
 - Increased security or lighting requirements during and after installation
 - Access necessary to complete art installation and ongoing maintenance
 - Safety and insurance issues during and after installation
3. Stakeholder consultation, public or neighbourhood participation: Determine how and when stakeholders and the community at large will be involved in the process.
4. Artist's Brief: Responsibility of developing the artist's brief, call to artists, day-to-day project management, payments to artist, and project evaluation.
5. Jury and selection process
6. Timelines
7. Council approval of location, budget and public art concept

Public Art Accession and Gift Procedures

Public art is acquired by the Town of Collingwood according to standard practice in the field of public art.

Public art acquisitions are adjudicated by a qualified jury with professional expertise in art and knowledge of the local context.

Projects are commissioned with a Call for Artists in the form of a Request for Proposals (RFP) or Request for Qualifications (RFQ). This is to ensure a diversity of art, transparency of process and to allow for more artists to showcase their skills.

A two-stage jury process is recommended for public art commissions over \$25,000. Stages one and two may be combined for smaller projects such as temporary installations or in situations where participation by emerging local artists, who may not have had previous experience in public art commissions, is desired.

In stage one, an RFQ will invite artists to send their qualifications to be reviewed by a jury, but does not require a specific proposal to be submitted. Artists are selected based on their past and current art and achievements. The RFQ may include a request for brief comment on the artist's approach to the project.

In Stage Two an RFP will invite 2-3 artists prequalified by the RFQ, to develop a concept proposal for the site or project and budget. The RFP does not guarantee the artist(s) will be selected to implement their proposed art.

Where a two-stage jury is utilized, second stage artists may be asked to develop a detailed proposal or a maquette for artwork

for a particular location. In such cases, shortlisted artists will receive an honorarium. Typically this is 1.5% - 2% of the budget of the installed artwork, for example where the budget for installed artwork is \$25,000 - the honorarium suggested is \$375-\$500.

Once the successful artist is chosen and given the commission, the artist signs a contract with the Town of Collingwood, for refinement of their concept, fabrication and installation. The artist retains copyright of the artwork but may license the image rights to the Town. The artist insures the artwork until the time of installation.

All artists are notified of the outcome.

Gifts of Public Art

Gifts of public art to the Town of Collingwood are preceded by the following:

- A letter of interest and information about the artwork, its history, installation details, conservation and maintenance history and plan, artist's portfolio
- Funding for an independent appraisal of the artwork
- Ten percent of total appraisal of the artwork for maintenance
- Recommendations for accessioning by the Arts and Culture Division in accordance with the Public Art Criteria.
- Acceptance approved by Council
- Contract

Public Art Donations of Funds

Donations of funds to support generalized public art projects will be placed in the Public Art Reserve. 10 percent (10%) will be reserved for public art maintenance.

Public Art De-accession and Re-site Procedures

Artworks owned by the Town of Collingwood, meeting one or more of the following criteria will be recommended to Council for de-accessioning or resiting:

1. Condition of work or site:
 - Work is beyond restoration or cost of restoration is excessive in relation to the original or current value of the work;
 - Cost of ongoing maintenance is prohibitive;
 - The artwork's site will be eliminated or is no longer appropriate.
2. Legal/Risk and Moral Rights:
 - Artwork or site is unsafe and presents a danger to the public;
 - Artist raises concerns about condition, presentation and location of work;
 - Environmental changes have impacted original integrity of the work;
 - The work of art has faults in design, material and workmanship.
3. Artistic Considerations:
 - Artistic merit of work falls below general level of collection;
 - Work is no longer regarded as a significant example of the artist's work;
 - Work is duplicated in collection;
 - Town wishes to replace work with a more significant work by same artist.

De-accessioning is carefully considered. Assessment must be impartial and legal obligations in relation to the artist's moral rights and to any contractual commissioning arrangements need to be understood and met.

Every effort will be made to notify the artist if their artwork is being considered for de-accessioning or resiting. If the artist does not agree with the decision to resite the artwork, the artist has the right to remove their name as artist of the artwork.

If there is not an appropriate site available for a public artwork which is designated to be resited, the artwork may be stored until such time as an appropriate site is determined.

If a public artwork is deaccessioned, the rights and artwork will revert back to the artist.

No work of a living artist should be subject to disposal unless an exceptional condition or reason for disposal exists.

Jury Procedures and Public Art Criteria

Juries administered by Collingwood Public Art will assess whether the artwork fits within the Purpose, Definitions and Guiding Principles of the Public Art Policy.

The task of the juries is to assess the applications and make recommendations for public art commission, accession or gift acceptance.

At a minimum, the jury will have an artist, a representative from the Town of Collingwood, a member of the Arts and Culture Community and a member of the public at large. The jury may include a staff person from the municipal department initiating the public art project and outside experts in the type of art being considered.

The jury will have an opportunity to view the materials submitted by all applicants. Jurors will be provided with a jury criteria assessment form. Each panel member independently ranks the artists' submissions according to the criteria.

For public art commissions, the two or three artists shortlisted in stage one may have an opportunity to present their concept proposals in person to the Jury. In this case, the jury will develop a list of questions to be used during the interview process, and in so doing, may request relevant expert advice from other involved parties, such as the Town's Engineering Department.

If applicable, artists may arrange a site visit with an engineer or builder, prior to presenting their concepts.

Public Art Criteria

The Public Art Criteria will serve as a standard of quality and context for the commission, accession or gift acceptance of public artworks to the Town of Collingwood.

1. Submission includes all required elements requested
2. Artwork or proposal aligns with the Guiding Principles of the Public Art Policy. Guiding Principles:
 - Fosters an environment that promotes creativity and the importance of access to those experiences for everyone
 - Creates a more interesting, visually-rich space and cultivates pride in our Town
 - Promotes the recognition of artists as an important asset for a vibrant community
 - Provides opportunities for emerging, mid-career and established professional artists across Collingwood's full diversity, and encourage participation from First Nations, Métis, Inuit, Francophone and new Canadian artists
 - Engages residents in dialogue
 - Preserves and enhances our cultural identity
 - Seeks to be inclusive and respect the rights of Indigenous people to own and control their heritage, including Indigenous images, design, stories and other cultural expression¹
 - Increase tourism and economic development by attracting visitors and potential investors, creating partnerships and employment opportunities, and increasing land values.
3. Artistic Criteria:
 - Artistic merit
 - Aesthetic response in relation to Artist's brief
 - Aesthetic response in relation to site
 - Perceived ability of the artwork to engage the public
4. Concept:
 - Conceptual underpinning
 - Conceptual response to Artist's brief
 - Communication of ideas
 - Reflects intent of the project and creates a meaningful relationship between the artwork and the site
5. Consideration of practical issues:
 - Maintenance
 - Risk Management
 - Budget
 - Timelines
 - Robustness and durability
6. Responsive issues:
 - Appropriate for site in scale, materials etc.
 - Responsive to stakeholder consultation and feedback
7. Authenticity (Cultural provenance of the artwork):
 - Use of Indigenous cultural material;
 - Accurate knowledge and representation of Indigenous peoples and their cultural heritage;
 - Reproduction of stereotypes about Indigenous peoples;
 - Respect for beliefs and worldviews of Indigenous peoples²

¹ Protocols for producing Indigenous Australian visual arts, Australian Council for the Arts, NSW, September 2007, p9

² Intellectual Property Issues in Cultural Heritage Project, 2015. Think Before you Appropriate. *Things to know and questions to ask in order to avoid misappropriating Indigenous cultural heritage*. Simon Fraser University: Vancouver, p19

Public Art Conservation, Maintenance and Restoration

At a minimum of once per year, public art condition reports will be prepared to determine changes to the artwork and any cleaning, maintenance or restoration required.

Basic cleaning and maintenance work may be carried out where appropriate, by a collaboration of municipal departments.

Where more extensive and restorative work is required, the services of a professional consultant will be retained to undertake a thorough inspection of artworks. If a public artwork is deemed to require a conservation

treatment or procedure, an estimate of the expenses, proposal and timeline, for the conservation procedure will be submitted to the Arts and Culture Committee.

Prior to conducting any conservation treatments or procedures (other than cleaning), an attempt to contact the artist will be made to seek comments or consultation on all repairs or restoration that occur during the artist's lifetime.

For new public artworks, the artist will be asked to submit a maintenance manual at the time of completion.