Date: January 12, 2022
To: Ivins City Council
From: Ivins Arts Commission
RE: Recommendation: Options for Acquisition of Public Art

You have asked us to provide information on two options, art-on-loan and purchase, for the acquisition of public art for Ivins, consistent with Goal 3 of the Arts Master Plan. Subsequent pages provide a more detailed discussion of the options we considered and our rationale.

With each of the below, we recognize Utah statutes and regulations and/or City ordinances or procedures may apply based on type of procurement and cost. We defer to you when and whether specific laws/ordinances are applicable. We, however, recommend that, regardless of existing legal requirements, you provide at least public notice of the City's intent to acquire any public art. We recommend the following for acquisition of all public art pieces, whether outdoor sculptures, indoor paintings or other multi-dimensional works.

Large or Multiple Art pieces, such as for round-a-bouts:

* If to be commissioned, acquire through Request for Proposal process

*If of an existing art piece, acquire via direct purchase when in accordance with single-source legal requirements

Smaller pieces, such as art throughout City parks, trails, and in or around City Hall[1]

*Acquire through a discrete Ivins art-on-loan program

[1] We are preparing specific sites in accordance with Goal 2 of the Arts Master Plan. Once specific locations are Identified, the City could install permanent bases for loaned art, reducing time and cost of revolving installations.

Purchase of Public Art

There are two basic means by which Ivins City could purchase art: by commission or direct purchase. By either means, once purchased, the art would be an asset of the City to be enjoyed or disposed at your discretion. As with Ivins' mustang sculptures, purchased public art typically remains in one location for an indefinite period. We are available to assist you as needed.

Commissioned Art

Commissioning public art, whether via sole source or solicitation process, can be costly, particularly when needed in the size and materials appropriate for round-a-bouts. Commissioning art can be a lengthy process with months/years from the issuance of the solicitation to the installation of the art. Consistent with the 2017 version of the Arts Master Plan, we recommend the use of a public solicitation process to commission art. Requests for Qualifications and Requests for Proposals are two common ways of soliciting commissioned art. If you decide to seek proposals for public art, we recommend issuing only a Request for Proposals as it includes much, if not all, of what would be in a Request for Qualifications.

a. Request for Qualifications ("RFQ"). An RFQ helps the artists understand the scope of the public project and asks interested artists to submit a Letter of Interest ("LOI"). The LOI would include such things as the artist's qualifications and experience with similar projects and would allow you to determine whether issuance of a Request for Proposals is likely to result in submission of viable proposals.

b. Request for Proposals ("RFP"). An RFP provides greater details, than an RFQ, of the location and requirements of the art to be commissioned and asks artists to propose a specific art piece meeting the requirements of the RFP. We have learned from local artists that an RFP typically includes a budget and delineates the items that may be paid from that budget, such as design, fabrication, engineering, etc.

Direct Purchase from Artists or Vendors

The direct purchase option is shopping for art. Ivins and the greater St George area are home to many artists, sculptors, painters, and others, from whom art may be purchased. For example, Whitaker Studios and Lance Ludlow have metal outdoor art for sale in Ivins and elsewhere. We could investigate whether any of the current inventory is appropriate for round-a-bouts or other sites in Ivins. If there is appropriate inventory, this means of purchasing public art would be the most expedient and, likely, the least expensive way to purchase public art.

Art-on-Loan

An art-on-loan program can reduce the administrative aspects and time delays associated with commissioning public art. Art-on-loan also reduces the cost as no art is being purchased. With art-on-loan, Ivins would not be commissioning new art. Like the direct purchase option (above), art-on-loan seeks to give public visibility to existing art. Ivins would not own the art; the art does not constitute an asset which Ivins can dispose. Unlike purchased public art to which residents may become inured, the changing nature of an art-on-loan program may foster continuous interest in public art. Immediately below, we briefly describe the process used by Art-Around-the Corner (AATC) to implement St. George's art-on-loan program. We then present three options, with subtle differences, for your consideration.

St George's Art-on-Loan Program

Art-Around-the-Corner ("AATC") coordinates St. George's art-on-loan program. AATC is a private nonprofit 501(c) (3) organization supported by donations and grants. AATC selects sites for the art in consult with St. George staff. In September, AATC issues a solicitation, i.e., Call for Entry. Interested artists then submit an application. AATC selects the art and negotiates terms of the loan of art with the artist. The AATC informs St. George staff of its selected art works. St George installs, maintains, and insures the art. The art is on display for one year beginning with an opening reception in April hosted by AATC. During the year of display, the art is available for sale or lease at prices set by the artists, a percentage of which goes to AATC; such ownership or custody does not begin until the end of the display year. In exchange for loaning their art, artists are given transportation to the opening reception, lodging in St. George and a $1000 stipend. AATC reports that vandalism of the art is infrequent, but it has increased in the past year and during other city-wide events such as the annual art festival.

Ivins' Art-On-Loan Options

With each of the below, you would make the final selection of art and its location. Ivins City would assume the cost of installation, maintenance and insurance of selected art and other costs, such as stipend, travel, etc. You could solicit art to be on loan for one, two or more years; from local artists only or from a wider geographic area; and for one or multiple sites, such as in round-a-bouts, around City Hall, the Police Station, Fire Station, City parks and trails, or other locations, as you determine fiscally is feasible. None of the below establish an obligation to select any art piece. As with the purchase of art, we are available to assist you in any way.

- **Discrete Ivins art-on-loan program.** With this option, the City, through us, would issue a Call for Entries. We could review the submissions and recommend pieces and locations to you. The issuance of the Call for Entries does not establish an obligation to select any piece.

- **Ivins partners with AATC:** With this option, AATC which would modify its application forms and information to include a solicitation for art installations in Ivins**.** AATC would select art for St. George, and we could recommend to you selected pieces for Ivins. Considerations with this option include whether Ivins would participate in the AATC opening reception or have one in Ivins for those artists chosen by it. We have had preliminary discussions with AATC Board members who accept this as a viable option, though details need to be discussed.

- **Ivins does not solicit art, but has an opportunity to select art submitted, but not selected, for installation in St. George:** With this option, AATC solicits and selects art for St. George. We could review and recommend to you pieces not selected by AATC. If you approve of one or more of our recommendations, details would be negotiated with the artists. This differs from the above options in that here there would not be a specific solicitation for art in Ivins. We have not discussed this option with AATC

Recommendations

With consideration of the above, we recommend the following for the acquisition of public art.

Large or Multiple Art pieces, such as for round-a-bouts:

* If to be commissioned, acquire through Request for Proposal process

*If of an existing art piece(s), acquire via direct purchase when in accordance with single-source legal requirements

Smaller pieces, such as art throughout City parks, trails, and in or around City Hall:

*Acquire through a discrete Ivins art-on-loan program (first option under Art-on-Loan Options)

For all public art acquired for the City and notwithstanding applicable laws, the City at least provide public notice before acquisition.