

# UNIVERSITY OF NEBRASKA

## ACQUIRING WORKS OF ART FOR CONSTRUCTION PROJECTS PROCEDURES

### UNFP 6.5.2.1

#### I. Reference and Application

- A. On May 17, 1980, in accordance with the requirements of the Neb. Stat. §§ 82-317 to 82-329 and §§ 85-106 to 85-106.03, the Nebraska Board of Regents approved a policy for the acquisition of artwork for state appropriated capital construction projects.
- B. Application: The procedures apply to all state appropriated public building construction projects.

#### II. Objectives and Limitations

The objective of these procedures is to provide a streamlined and effective way to acquire artwork and supplement Board Policy (RP-6.5.2) *Acquiring Works of Art for Construction Projects*.

#### III. Definitions

- A. Art. Art shall mean the conscious use of skill, taste and creative imagination in the production of aesthetic objects.
- B. Appropriations. Appropriations shall mean the amount of money set by the Legislature in excess of five hundred thousand dollars (\$500,000) for new construction or in excess of two hundred fifty thousand dollars (\$250,000) for remodeling for the particular project which is not limited by law, rule, or regulation less the amount of money spent for planning, land acquisition, and site work.
- C. Original Construction. Original construction shall mean the erection of a new building or facility and does not include remodeling if the cost is two hundred fifty thousand dollars (\$250,000) or less or expansion of existing structures, and does not include planning, site work, and land acquisition.
- D. Public Buildings. Public buildings shall mean buildings and facilities used by or open to the public excluding repair shops, garages, warehouses, and buildings of similar nature.
- E. Planning. Planning shall mean engineering and architectural services, testing, surveys, development of program statements, energy audits, life cycle cost analysis, environmental impact statements, cost-benefit studies, legal services, financial consulting services, special consulting services, and all other activities and services associated with the preparation of a project for construction.
- F. Site Work. Site work shall include demolition and/or movement of any building or structure or part thereof, utility abandonment and construction beyond the exterior limits of a building, moving and relocation, landscaping, and construction of sidewalks and off street parking.

- G. Land Acquisition. Land acquisition shall mean the acquisition of all interests in real estate required for any original construction, and legal services, appraisal services and all other professional services associated therewith, moving and relocation assistance, and filing and recording fees.

#### **IV. Procedure**

The Chancellor of each campus to which an appropriation is made for the construction of a public building shall arrange for the following:

- A. Using the NAC fee scale (attached), the campus will complete the 1% for Art Form, included in UNFP 6.3.6.2.1, to estimate the artwork budget for state funded University of Nebraska construction projects.
- B. The appointment of an Art Selection Committee (the committee) at the earliest practical time after the appropriation of funds for the building. The committee shall consist of a minimum of three university representative decision-makers able to act on behalf of the Chancellor. In addition, a representative from the art faculty, and from the architectural design firm is recommended. A representative alumni or business partner may also be a desirable addition.
- C. The committee shall advise the Chancellor of the estimated funds available for acquiring art; the recommended type of art to be acquired; the selection and commissioning of an artist, if required; the design, execution and placement of art; and the final acceptance of art.
- D. The committee will coordinate with the Nebraska Arts Council's 1% for Art Coordinator according to 1% for Art Project Selection Process (attached).
- E. The committee will provide the Chief Facilities Officer with the art budget, for the project, at program statement and post-bid phases, showing the amount budgeted for art.
- F. Obtaining Board of Regents approval of funding, type of art and commissioning of an artist, if required.
- G. Reviewing art design, execution and placement of art and accepting art on behalf of the University of Nebraska.

Attached: 1% Program: NAC Fee Scale, 2014 and 1% for Art Project Selection Process



## 1% Program: NAC Fee—Scale

*A base fee is charged to the Project Agency 1% budget for the assistance NAC provides in project consultation. This includes services provided such as research, development and marketing of the project call for artwork; application processing and applicant support; selection review management; commission/purchase negotiation; and project management to final installation of the artwork.*

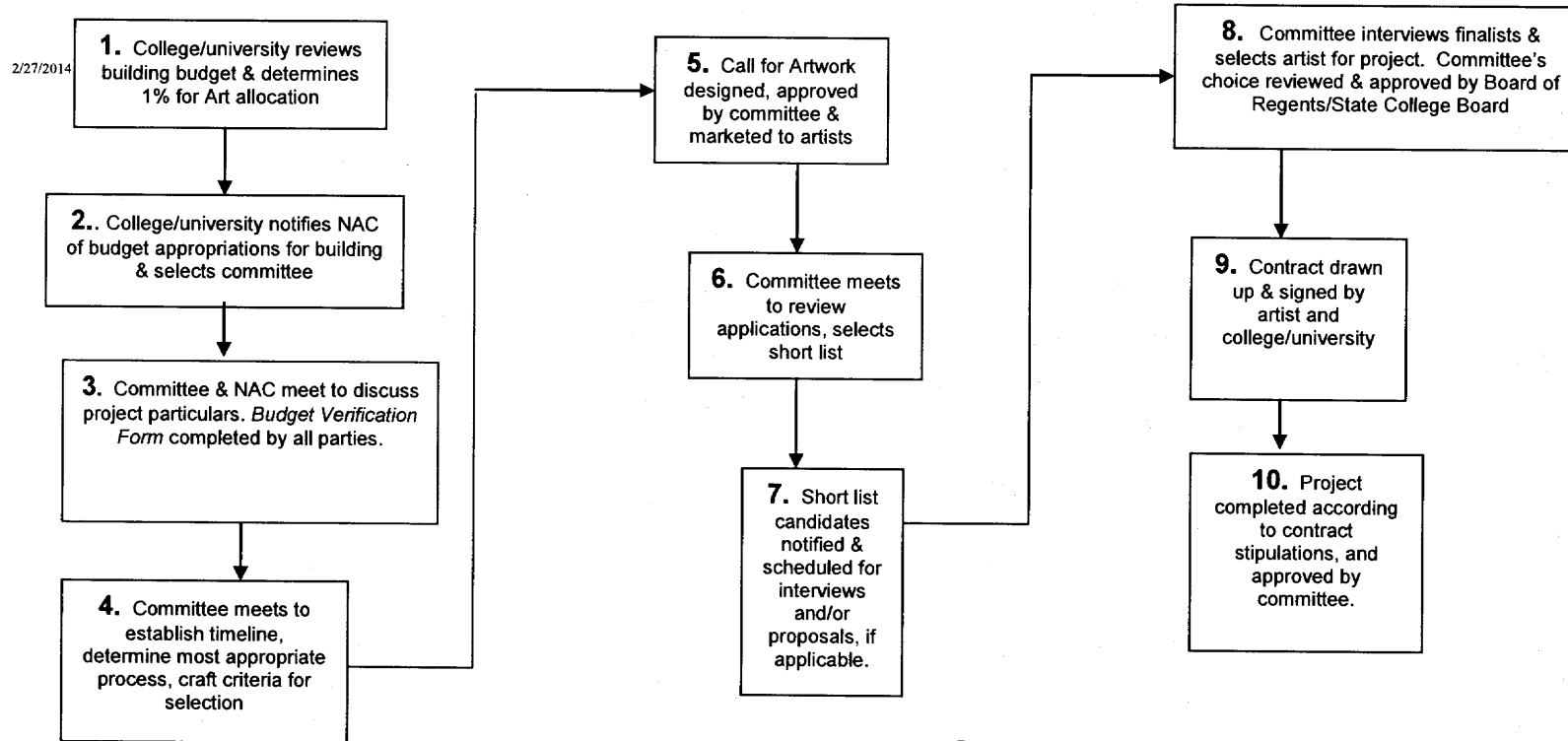
*If applicable, additional costs for supplies, travel expenses, or other expenses may be added to the base fee and billed to the client.*

*Reference: Neb. Rev. Stat. 82-326; One Percent for Art Regulations*

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Projects under \$10,000	fee waived
Projects between \$10-20,000	\$200.00
Projects between \$20-30,000	\$300.00
Projects between \$30-40,000	\$400.00
Projects between \$40-50,000	\$500.00
Projects between \$50-60,000	\$600.00
Projects between \$60-70,000	\$700.00
Projects between \$70-80,000	\$800.00
Projects between \$80-90,000	\$900.00
Projects between \$90-100,000	\$1,000
Projects over \$100,000	\$1,500

## 1% for Art Project Selection Process for Nebraska state colleges and the University of Nebraska



### Responsibilities of the Nebraska Arts Council (NAC)

- ❖ sign off on budget for project
- ❖ act as voting committee member or ex-officio as appointed
- ❖ facilitate committee meetings
- ❖ create Call for Artwork prospectus, prepare and market the Call for Artwork if designated
- ❖ coordinate art selection review process and meetings; including application processing, preparation and review facilitation, if designated.
- ❖ advise college/university during review process and on contract if needed
- ❖ facilitate any problems between project agency & artist
- ❖ maintain archival records of completed work
- ❖ Conduct condition assessments of artwork on triennial basis (every 3 years) and reporting findings with recommendations to college/university.

### Responsibilities of college/university

- ❖ determine 1% budget
- ❖ appoint selection committee
- ❖ arrange for committee meeting notification & identify artwork sites
- ❖ create Call for Artwork prospectus, prepare and market the Call for Artwork if designated
- ❖ manage expenses:
  1. paying artists as stipulated in contract
  2. paying NAC for services rendered via ITD
  3. paying for interviewee travel expenses (& coordinating these arrangements)
- ❖ administer contract as stipulated
- ❖ act as contact/overseer of artist during installation phase of project
- ❖ maintain artwork in proper condition
- ❖ contact NAC and artist should issues with artwork, site or other problems arise over time.