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## Art Work in State Buildings Open to Public Use

### Sec. 4-131a-1. Purpose

The purpose of these regulations is to implement the provisions of Section 4-131a of the General Statutes, in order to provide the citizens of Connecticut with an improved public environment through the enhancement of state buildings with quality works of art by living professional artists and craftsmen.

(Effective October 30, 1979)

### Sec. 4-131a-2. Definitions

For the purposes of sections 4-131a-3 through 4-131a-13, the following definitions shall apply:

(a) **Agency:** the state agency to receive the work of art, upon completion of established procedures for construction, reconstruction, or remodeling.

(b) **Allocated Funds:** not less than one per cent (1%) of the proceeds of state bonds for purposes of construction, reconstruction, or remodeling of any state building (as defined herein), to be determined with respect to the total estimated cost of the project, exclusive of

(i) the cost of any land acquisition,

(ii) any nonconstruction costs including the cost of such work of art, and

(iii) any augmentations to such costs.

(c) **Architect:** the licensed person or firm that has contracted to design any project which is subject to the provisions of Section 4-131a of the General Statutes and to these regulations.

(d) **Artist:** a practitioner in the visual or plastic arts whose objective is to create original works of art. As used herein "artist" means the same as "artisan" and "craftsperson."

(e) **State building:** any building or facility owned or leased by the State of Connecticut and open to the public or intended for such use, exclusive of any shed, warehouse, garage or building of a temporary nature.

(f) **Work of Art:** art work which is to be an integrated part of a state building, including but not limited to, fresco, mosaic, sculpture and other architectural embellishment or functional art created by a professional artist, artisan, or craftsperson, and any work of visual art which is not to be an integrated part of a state building, including but not limited to, a drawing, painting, sculpture, mosaic, photograph, work of calligraphy or work of graphic art or mixed media. Work of art does not mean landscape architecture or landscape gardening.

(Effective October 30, 1979)

### Sec. 4-131a-3. Request for allocation

The Commissioner of Administrative Services or his Deputy Commissioner for Public Works shall, with respect to each project for the construction, reconstruction, or remodeling of a state building, request the State Bond Commission to allocate funds for the provision and placement of works of art. Funds may be requested for allocation in whole or part, at the design stage or other project stage, as required for purposes of design, planning, and contractual arrangement with the artist.

(Effective October 30, 1979)

### Sec. 4-131a-4. Use of allocated funds

Allocated funds may be expended for any of the following purposes:

(1) Direct costs of purchase and installation of an existing work of art by an artist.

(2) The costs of the production and installation of new works of art, including but not limited to, the following:

- (a) the professional fees of the artist or artists
  - (b) labor of assistants, materials, and contracted services required for production of the work of art
  - (c) studio and operating costs
  - (d) travel expenses of the artist for site visitation and research
  - (e) transportation of the work of art to the site
  - (f) installation of the completed work of art
  - (g) all necessary insurance required by contract
- (3) Plaques and labels identifying the work of art.
- (4) Costs of mechanical, electrical, plumbing and other devices which are an integral component of the work of art, specifically excluding service and utility costs and charges for such devices.

(5) Frames, mats, pedestals, or other support or framing systems which are necessary for the proper presentation of the work of art.

(Effective October 30, 1979)

#### **Sec. 4-131a-5. Allocated fund, restrictions**

Allocated funds may be expended only for works of art, in accordance with the immediately preceding regulation, and may not be expended for any of the following:

- (1) Reproductions, by mechanical or other means, of original works of art, unless mechanical means of reproduction are an integral part of the creative process.
- (2) Decorative, ornamental, or functional elements which are designed by the building architect or consultants of the architect.
- (3) Art objects which are mass produced or of a standard commercial design, such as playground sculpture or fountains, except in such cases where these production methods are an essential part of the original work of art.
- (4) Directional, or other functional elements, such as supergraphics, signage, and color coding, except where these elements are an integral part of the original work of art.

(5) Fees for changes required to construction contract documents by architect.

(6) Costs of electrical, mechanical, plumbing, and other services and utilities which are needed to operate the work of art after it has been installed.

(Effective October 30, 1979)

#### **Sec. 4-131a-6. Selection of artist**

Artists shall be selected to provide works of art by the Commissioner of Administrative Services or his Deputy Commissioner for Public Works, upon the recommendation of the State Commission on the Arts. The procedure of selection shall be as follows: The Commission shall be informed by the Department of Administrative Services of pending and future state building projects that have been designated to receive works of art, and it shall make public announcements concerning all eligible projects. In its public announcements the Commission shall indicate whether it shall recommend artists on the basis of

- (a) open competition among artists,
- (b) direct selection, with a minimum of three artists considered, or
- (c) limited competition, among three or more artists invited to submit proposals.

The Commission shall proceed to furnish the names of at least two artists with respect to each eligible project. Final selection from among the artists recommended shall be made by the Commissioner, except that, in the event the Commissioner

declines to appoint any of the artists whose names have been furnished, he shall direct the Commission on the Arts to invite new proposals or conduct new competition.  
(Effective October 30, 1979)

#### **Sec. 4-131a-7. Selection panel**

For the purpose of recommendation of artists the Commission on the Arts may appoint a selection panel comprised of artists and of other persons with knowledge in the art field. Membership on the selection panel, the number of members, frequency of meetings, and other duties and responsibilities of the panel shall be as determined by the Commission. An artist who is a member of the selection panel shall not be permitted or authorized to submit any proposal or enter into any contract to provide a work of art for a state building.

(Effective October 30, 1979)

#### **Sec. 4-131a-8. Contract with artist**

The Commissioner of Administrative Services or his Deputy Commissioner for Public Works shall be the sole person authorized to enter into contracts with artists for works of art for state buildings. All contracts shall be in writing and shall include terms and provisions whereby the artist shall agree as follows:

- (1) To provide a preliminary design and cost breakdown for the work of art, subject to the approval of the Commissioner.
- (2) To provide a final design and cost breakdown for the work of art, subject to the approval of the Commissioner.
- (3) To maintain a close working relationship with the architect.
- (4) To provide for the delivery and supervision of the installation of the work of art and its presentation to the agency.

The written contract shall include such other terms and provisions as may be agreed upon or required by law, and shall be subject to the approval of the Attorney General.  
(Effective October 30, 1979)

#### **Sec. 4-131a-9. Duties of architect**

In addition to other duties established by contract, the architect shall:

- (1) Recommend specific sites for works of art and the scale and type of work he or she deems most appropriate.
- (2) Consult with the selection panel on art type and location.
- (3) Maintain a close working relationship with the artist.
- (4) Oversee and approve the installation of the work of art.
- (5) Assure that all service requirements for the work of art are met in the design documents and that the work may be installed efficiently and expeditiously.

(Effective October 30, 1979)

#### **Sec. 4-131a-10. Agency responsibilities**

On notification by the Commissioner of Administrative Services of its eligibility to receive a work of art in a State building over which it has control, a State agency shall consult together with the Commissioner and with the Commission on the Arts for the purpose of determining the type and specific location of the work of art. The agency shall make necessary provisions to receive the work of art; shall be responsible for necessary repairs, maintenance, and security; and shall notify the Commission on the Arts in advance of any proposed relocation of the work of art.

(Effective October 30, 1979)

**Sec. 4-131a-11. Ownership**

The State of Connecticut shall be the sole owner of all works of art in State buildings open to public use. Title shall vest in the State on completion of installation and final acceptance of the work of art.

(Effective October 30, 1979)

**Sec. 4-131a-12. Inventory**

The Commission on the Arts shall keep and maintain an up-to-date inventory of all works of art in State buildings open to public use.

(Effective October 30, 1979)

**Sec. 4-131a-13. Loans**

Any work of art which has become the property of the State may be loaned by the State agency involved, on a temporary basis, to any person or group for the purpose of making the work more visible to the public. All loans shall be subject to the approval of the Commissioner and the Commission on the Arts, and shall be at the risk and expense of the borrower. If requested, the borrower shall insure the work of art against damage, loss, and theft, with the State named as an additional insured party.

(Effective October 30, 1979)