



OPW Oifig na
nOibreacha Poiblí
Office of Public Works

The OPW State Art Collection and the Per Cent for Art Scheme

Background, Stakeholders,
Budgets, Procedures

Version 1, February 2021

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Table of Contents

Version and amendment table	3
1. How are the OPW State Art Collection and the Per Cent for Art Scheme connected?	4
2. Who is involved in implementing the Per Cent for Art Scheme?	5
2.1 Art Management Group	5
2.2 Art Adviser and Art Management Office	5
2.3 Project Architects/Project Engineers	6
2.4 Project Co-ordinators	6
2.5 Developers (design/build projects and developer fit-outs)	6
2.6 Client Departments	7
2.7 Non-standard procurement methods	8
2.8 OPW Financial Services	8
3. What are the Per Cent for Art budgets and funding thresholds?	9
3.1 New limits and bands applicable from 1 January 2020	9
3.2 Pooling of Per Cent for Art Scheme funds	9
3.3 Calculation and allocation of Per Cent for Art funds	10
4. What procedures are followed in acquiring art for the OPW State Art Collection?	11
4.1 Procedures for purchasing	11
4.2 Procedures for commissioning	11
4.2.1 Commissioning works of art costing more than €25,000	12
4.2.2 Commissioning works of art costing less than €25,000	14
4.2.3 Commissioning works of art by direct invitation	15
5. Who do I contact if I have additional questions?	16

Version and amendment table

The following table outlines changes made to this document.

Date	Version	Amendment
17 February 2021	Original release	

1. How are the OPW State Art Collection and the Per Cent for Art Scheme connected?

The OPW State Art Collection is managed by the Art Management Office and plays a key role in both promoting and stimulating engagement with art in State buildings and public settings as envisioned by the Government's Per Cent for Art Scheme. Although the collection itself predates the scheme and includes historic artworks from public buildings maintained by the OPW since its inception in 1831 – as well as busts and portraits of past and present national leaders commissioned by the Irish Government through the OPW in the decades after independence – it grew substantially after 1978. That year, the OPW began to allocate one per cent of capital construction costs of any building project it executed to acquiring works of art in order to meet a growing desire for enhancing public spaces and Government offices with artworks.

This scheme was later adopted by the Department of the Environment and by the Department for Arts, Culture and the Gaeltacht in the 1980s and 1990s respectively. In 1997, the Per Cent for Art Scheme became Government policy and was extended to all Departments with construction budgets with the proviso of certain spending bands and limits. [National Guidelines](#) were published in 2004 for the implementation of the Per Cent for Art Scheme by all public bodies delivering capital construction projects. In 2019, the Government raised the funding limits that had been in place since 1997, thereby significantly increasing the budgets available for investment in public art and artists in Ireland (see [section 3.1](#) for these new thresholds). In line with the National Guidelines, the OPW may pool funding for projects to facilitate greater flexibility in the use of funds and to ensure that a range of artworks are available to meet a diverse range of client requirements.

The OPW's implementation of the Government's Per Cent for Art Scheme in all its capital projects has resulted in a dynamic, growing collection of over 13,500 mostly contemporary Irish artworks purchased or commissioned for the properties the OPW manages. The collection includes paintings, original prints, photographs, sculptures, ceramics, textiles, as well as other art forms such as music compositions and performances or poetry written in the context of a building project. Works from the OPW State Art Collection are currently displayed in over 400 locations across Ireland, showcasing Irish art in civil service Departments and Government agencies, in courts and Garda stations, in garden and park settings, on paved forecourts and in courtyards. This makes the OPW State Art Collection 'a museum without walls' and the most widely distributed art collection in State ownership with the highest percentage of artworks on display – over 90 per cent – at any given time.

Outside these official settings, works from the OPW State Art Collection can be viewed in changing exhibitions each year, including in an annual touring exhibition organised in partnership with the Department of Finance in Northern Ireland.

2. Who is involved in implementing the Per Cent for Art Scheme?

2.1 Art Management Group

Set up in 1991, the Art Management Group is a sub-committee of the OPW Management Board and advises on the implementation of the Per Cent for Art Scheme and the management of the OPW State Art Collection. The committee's expertise is available to Government Departments and to any other public bodies seeking advice on the purchase, acquisition, maintenance, commissioning, restoration and valuation of artworks.

2.2 Art Adviser and Art Management Office

The OPW Art Adviser heads the Art Management Office, established in 2000, and is responsible for approving proposed art projects and for the purchase of artworks with Per Cent for Art funding.

The Art Management Office manages the care and display of the OPW State Art collection in line with best practice standards. Its responsibilities include:

- the implementation of the Government's Per Cent for Art Scheme in the OPW;
- the acquisition of artworks and commissioning art projects for display in OPW-managed properties;
- the strategic management and maintenance of the State Art Collection;
- the management of an up-to-date inventory of the State Art Collection;
- provision of advice on art and management of cultural projects on behalf of the Government as requested;
- collaboration with arts organisations, local authorities and other relevant bodies to support the arts nationally;
- provision of assistance and advice to OPW colleagues on art-related initiatives and projects;
- raising public awareness of the collection through exhibitions and publications;
- valuation of gifts of artworks for Government Departments as requested.

2.3 Project Architects/Project Engineers

The Project Architect/Project Engineer in charge of a capital project is responsible for including an art element in the project plan as part of the Per Cent for Art provision. The approximate amount available for art will be clear from the Sketch Scheme Stage.

The Project Architect/Project Engineer should submit a written proposal to proceed with an art project to the Art Management Office and no commitment should be made to an artist or gallery prior to receiving the Art Management Office's approval. Art Management staff can advise on how to develop and write a proposal for an art project.

The Project Architect/Project Engineer should consult the client Department/building users in relation to the delivery of art projects for their location and should consider location, building use and client Department's role when developing proposals for the art project. Close consultation with the client will establish if the client's requirements would best be met by the purchase or commission of artworks. Public consultation may also be required in certain cases and this can be undertaken with the advice of the local Arts Officer. The Art Management Office can arrange liaison with a local Arts Officer.

By working in partnership with the Art Management Office, the Project Architect/Engineer ensures that

- artworks are acquired or commissioned under the Per Cent for Art Scheme in compliance with the [OPW State Art Collection Policy](#) (excerpts are included below in [section 4](#)) and the [National Guidelines](#),
- artworks represent contemporary art practice across diverse artistic media,
- artworks suit the parameters and requirements of a particular project, location and client
- and that artworks are fully documented in the OPW's online collections database.

2.4 Project Co-ordinators

The actual sum available for an art project of a particular capital project is finalised at the contract acceptance stage. The OPW Project Co-ordinator will inform the Project Architect/Engineer at this point of the art allocation amount and arranges the transfer of the amount to the Art Management Office using the Per Cent for Art Authorisation Form ([White Form](#)).

2.5 Developers (design/build projects and developer fit-outs)

The Project Architect/Employer's Architect must ensure that the developer is aware of the OPW's policies and procedures in relation to the acquisition of artworks as part of the project.

The developer's Design Team, together with the client representative and a representative of the Art Management Office, should agree a Per Cent for Art strategy for the building.

The developer's architect must submit a proposal to the Art Management Office for approval prior to the commencement of an art project. This ensures that the acquisition of all artworks meets the criteria set out in the [OPW State Art Collection Policy](#) and, in the case of a commission, complies with the OPW State Art Collection's acquisition procedures (see section 4) and the [National Guidelines](#).

The developer is responsible for payments to artists and galleries in relation to Design/Build projects.

For Developer Fit-outs, OPW Property Management Services will transfer the relevant Per Cent for Art funds to the Art Management Office.

2.6 Client Departments

Client Departments are involved in the process of acquiring art for capital construction projects delivered on their behalf by the OPW. The respective Department's ethos, geographic location and requirements are established in close consultation with the Project Architect/Engineer and inform the selection of art for their premises, whether it is purchased or specifically commissioned by the Art Management Office. If the latter, representatives from the client Department will form part of the Commissioning Group and Selection Panel and therefore will be involved in both the commissioning and selection process.

In addition to this, client Departments can borrow works from the OPW State Art Collection for display in their premises subject to availability and waiting times. The Art Management Office facilitates and manages all loans of artworks from the collection to client Departments and procures specialist services for the installation, removal, conservation and repair of works. Any requests for, or in relation to, art loans must be made by client Departments to the Art Management Office through their Facilities Management/Corporate Services Section.

Upon receiving a loan from the OPW State Art Collection, client Departments must sign a loan contract and take responsibility for the safekeeping of any artworks on loan as stipulated in [Circular 19/1996](#). They thereby become joint custodians with the OPW of the unique artworks installed for their enjoyment within their working environment. It is vital for the care and protection of these cultural assets that client Departments follow the conditions set out in the loan contract they sign following installation and that they inform the Art Management Office without delay of any desired removal or relocation as well as of any damage to or loss of works on loan.

Additional information for clients can be accessed [here](#).

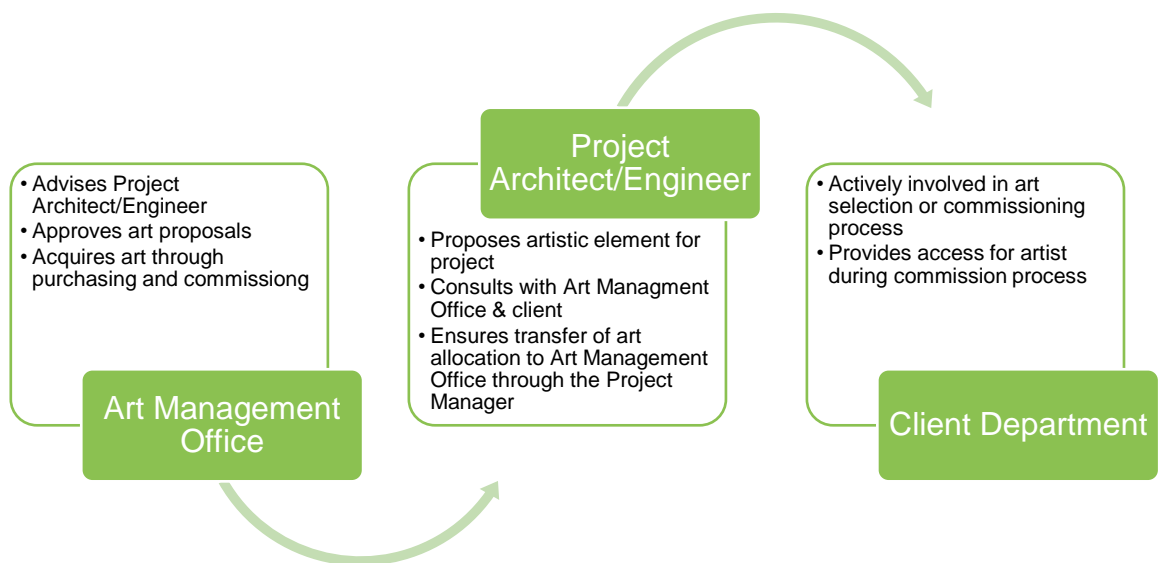


Figure 1: Stakeholders involved in the implementation of the Per Cent for Art Scheme

2.7 Non-standard procurement methods

The Project Architect/Engineer, the client Department or the developer should contact the Art Management Office before any agreement or contract is placed in relation to an art project and submit a proposal for approval.

The acquisition procedures of the [OPW State Art Collection Policy](#) will be followed whether artworks are purchased or commissioned for the project (see section 4).

2.8 OPW Financial Services

In accordance with [DPER Circular 21/2020](#), all artworks (known as movable heritage assets) acquired under the Per Cent for Art Scheme and valued over €10,000 are listed on the OPW Asset Register by Financial Services.

Irrespective of cost, all artworks acquired for the OPW State Art Collection are recorded by the Art Management Office in the OPW's online collection management system. Each object is photographed, given its own unique identification number, its acquisition details are recorded and its current location is maintained up-to-date for audit purposes.

3. What are the Per Cent for Art budgets and funding thresholds?

3.1 New limits and bands applicable from 1 January 2020

Proposed project cost band	Proposed maximum limit
Projects below €5m	1% of the cost of the project to a maximum of €50,000 (1% of upper limit)
Projects between €5m and €20m	1% of the cost of the project to a maximum of €125,000 (1% at median)
Projects between €20m and €50m	1% of the cost of the project to a maximum of €350,000 (1% at median)
Projects in excess of €50m	€500,000 (1% of the lower level scale and declining as projects increase in scale)

The Per Cent for Art Scheme funds relate to project totals. However, some large-scale projects may be subdivided into discrete units on a contract-by-contract basis. In such circumstances, the Per Cent for Art Scheme funding would apply to each contract.

It is also possible to supplement the art project funding from other sources, for example, through additional client funding or pooling of resources with other public bodies. Some public bodies may wish to pool funds from different projects in one area to benefit a more substantial art project in another.

3.2 Pooling of Per Cent for Art Scheme funds

Funds generated through the application of the Per Cent for Art Scheme can be pooled

- for smaller projects, in order to make the funding of an art project worthwhile;
- for co-funding suitable art projects, the OPW can co-operate with other agencies by combining Per Cent for Art Scheme funds generated by different capital projects.

3.3 Calculation and allocation of Per Cent for Art funds

The Per Cent for Art Scheme funding allocation is calculated on the basis of the net construction cost. The Project Budget Calculation Form (see [Yellow Form](#)) sets out the net construction sum and automatically calculates the art allocation based on this.

The actual sum available for an art project of a particular capital project is finalised at the contract acceptance stage. This amount is then transferred to the Art Management Office using the Per Cent for Art Authorisation Form ([White Form](#)).

The Art Management Office ensures that each Per Cent for Art transfer has its own cost centre and project code identifier and maintains project-related information on a registered file. All art-related invoices are processed for payment by the Art Management Office with the exception of Design/Build Projects, which are paid directly by the developer.

4. What procedures are followed in acquiring art for the OPW State Art Collection?

The following acquisition and commissioning procedures are transcribed from the [OPW State Art Collection Policy](#).

4.1 Procedures for purchasing

- 4.1.1 The Project Architect/Engineer meets with Art Management staff to discuss options for the project, enabling the Architect/Engineer to then draw up proposals following consultation with the client. Proposals should be emailed to artmanagement@opw.ie.
- 4.1.2 It is essential that the Project Architect/Engineer submits a proposal for the purchase of artworks to the Art Management Office prior to making any commitment to a gallery or artist. This ensures that the acquisition of new artworks meets the criteria set out in this policy and that new acquisitions will be recorded properly both on the OPW State Art Collection's asset management system and in the Asset Register to meet the OPW's responsibilities under [DPER Circular 21/2020](#).
- 4.1.3 When a consultant architect is involved in the management of a construction project, it is the responsibility of the Project Architect/Engineer to ensure that the consultant architect is aware of, and complies with, these acquisition policies and procedures.
- 4.1.4 The building users should be encouraged by the Project Architect to participate in decisions regarding Per Cent for Art acquisitions for their building.
- 4.1.5 Once the Art Adviser has approved a proposal for the acquisition of artworks, the Project Architect/Engineer should advise the Art Management Office of the relevant supplier details so it can issue a purchase order number. Details should be emailed to artmanagement@opw.ie.
- 4.1.6 All certified quotations/invoices for artworks should be sent to the Art Management Office for processing of purchase orders and should include the following details: project sub-head, project title, the intended location of the artwork, title of the artwork, medium and the artist's name. This will allow preliminary information to be included on the OPW State Art Collection's collection management system.

4.2 Procedures for commissioning

- 4.2.1 The Art Management Office must be informed of all intended art commissions, irrespective of costs, so it can advise on the appropriate commissioning process under the National Guidelines (e.g. open competition, limited competition or by direct invitation). Each project will be assessed on a case-by-case basis dependent on location, project budget, artistic medium, etc. Email artmanagement@opw.ie.
- 4.2.2 The OPW Project Architect/Engineer should consult with the Art Management Office at the commencement of the capital project (or a minimum of 12-15 months prior to the programmed practical completion). It is important to allow sufficient time for the development of a successful art project from initial planning through to completion

stage. In general, the commission should allow for a project timeframe of a minimum of six months following the selection of the artist(s). The purpose of good planning and adequate timeframes is to ensure that the final art project is undertaken to the highest standards and allows the artist(s) appropriate time to develop and deliver the art project.

- 4.2.3 It is also essential that the client Department/building user is consulted prior to the commissioning of an art project. For commissions in relation to Flood Management projects, the Art Management Office will consult with relevant stakeholders such as the local authorities.
- 4.2.4 The Per Cent for Art Scheme budget must take into account costs such as
 - 4.2.4.1 funding available to the selected artist(s) for the commissioned art project to cover all costs for the art project such as artist's fee, material costs, transport costs, insurances, technical consultants, H&S surveys, method statements, photography, documentation, and any additional site works, as required;
 - 4.2.4.2 fees to be paid to short-listed artists;
 - 4.2.4.3 fees and expenses due to members of the Selection Panel and cultural specialists such as a project coordinator or producer (in line with Arts Council's stated fees for panellists);
 - 4.2.4.4 contingency to allow for other costs or attendances that may be necessary in relation to the commission.

4.2.1 COMMISSIONING WORKS OF ART COSTING MORE THAN €25,000

Formal competitive procedures apply to the commissioning of art projects costing more than €25,000. This involves the setting up of a Commissioning Group and a Selection Panel. The process is managed by the Art Management Office as follows:

- 4.2.1.1 In consultation with the Project Architect/Engineer, a Commissioning Group is set up, consisting of the Project Architect/Engineer, a representative from the client Department/building user and the Art Management Office's project manager.
- 4.2.1.2 The Art Management Office's project manager draws up a short-list of artists in consultation with members of the Commissioning Group as well as with the relevant cultural body, depending on the project (i.e. The Arts Council, Visual Artists Ireland, IMMA, the National Sculpture Factory, the Crafts Council of Ireland, the Contemporary Music Centre or Poetry Ireland). The Commissioning Group may also involve the local Arts Officer in the consultation process, where relevant.
- 4.2.1.3 The criteria for selecting the short-list of artists for a particular commission generally refer to the nature of the art project, geographical location, artist's track record, and the commission budget.

- 4.2.1.4 The briefing document and letter of invitation are prepared by the Art Management Office's project manager with technical information and background material provided by the Project Architect/Engineer and in consultation with members of the Commissioning Group. The briefing document comprises:
- 4.2.1.4.1 the background and/or history of the building or project;
 - 4.2.1.4.2 a general description of the capital project or the refurbishment works and a description of the proposed location (if physical art form);
 - 4.2.1.4.3 scaled drawings of the space (where relevant to art form);
 - 4.2.1.4.4 the total value of the commission, including VAT;
 - 4.2.1.4.5 the aspects for which the artist will be responsible;
 - 4.2.1.4.6 the number of attendances to be supplied by the artist(s) and their team on site;
 - 4.2.1.4.7 a timetable of the key dates which includes: issue of letters of invitation; site visit; submission of application; submission fee; placing of commission; proposed completion of art project/installation;
 - 4.2.1.4.8 the make-up of the Selection Panel.
- 4.2.1.5 The briefing document and letter of invitation are issued to the short-listed artists by the Art Management Office's project manager. The letter of invitation states that a current tax clearance certificate is required for the award of the commission.
- 4.2.1.6 A Selection Panel is formed and consists of:
- 4.2.1.6.1 the Project Architect/Engineer for technical advice;
 - 4.2.1.6.2 nominee(s) of The Arts Council or other relevant cultural body (minimum 1 or 2 people);
 - 4.2.1.6.3 nominee(s) of the client Department/building user (maximum of 3 people);
 - 4.2.1.6.4 a representative of the Art Management Office who chairs the Panel;
 - 4.2.1.6.5 the Art Management Office's project manager, who minutes the meeting of the Selection Panel and acts as Registrar for the artists' submissions
- 4.2.1.7 The Selection Panel meets to assess the submissions and to recommend a proposal for commissioning. The Selection Panel confirms that the submissions meet the requirements set out in the briefing document, so that the submission fee may be paid. The submission fee currently paid to each artist is a minimum fee of €750, which can be increased depending on the cost involved in the submission.
- 4.2.1.8 The Selection Panel makes a recommendation to the Commissioning Group from the submissions received.

- 4.2.1.9 The Commissioning Group awards the commission and the Art Management Office issues a formal letter of commission. The unsuccessful artists are also informed in writing that the commission has been awarded.
- 4.2.1.10 The selected artist is introduced to the Project Architect/Engineer and client contact. If the strategy is for an art project to be physically integrated into the building or structure, the process should be timed while the building contractor is still on site. Members of the Design Team should be available to the artist to advise on items such as lighting, foundations, structural loading and other matters as necessary for the satisfactory installation of the commission.
- 4.2.1.11 The Project Architect/Engineer should keep in regular contact with the artist while the art project is in progress, so that all technical and safety aspects can be considered and modifications made if necessary. This will also ensure that progress of the art project is in accordance with the timescale and specifications set out in the contract, and that payments to the artist can be verified. The Art Management Office will forward invoices to the Project Architect/Engineer for certification.
- 4.2.1.12 A payment schedule is agreed with the artist(s) at the outset of the commission. All invoices are sent to the Art Management Office for processing.
- 4.2.1.13 The Art Management Office's project manager advises the Collections Management staff as soon as the art project is complete and supplies all information necessary for the correct recording of the commission in the electronic collection management system.
- 4.2.1.14 The Art Management Office's project manager ensures that the artist provides two photographs or other relevant documentation in relation to the completed art project for cataloguing purposes.

4.2.2 COMMISSIONING WORKS OF ART COSTING LESS THAN €25,000

A formal Commissioning Group/Selection Panel is not set up for projects costing less than €25,000. The process is managed by the Art Management Office's project manager as follows:

- 4.2.2.1 A short-list of artists is drawn up by the Art Management Office in consultation with the Project Architect/Engineer which takes into account the suitability of the proposed art form and the geographical connection of artists to the site.
- 4.2.2.2 The advice of the local Arts Officer and/or a relevant cultural body may be sought for the creation of a short-list of artists working in an art form appropriate to the commission.
- 4.2.2.3 The Art Management Office, in consultation with the Project Architect/Engineer, manages the selection process. Art Management staff issue a formal letter of commission to the selected artist which includes a briefing document setting out responsibilities, financial arrangements and timeframes.

4.2.3 COMMISSIONING WORKS OF ART BY DIRECT INVITATION

Commission by direct invitation is a procurement mechanism that can be considered on an individual project basis where the suitability of a particular art form or the work of an individual artist(s) is uniquely relevant to specific project requirements. Once the commission is awarded to a specific artist(s), a commission by direct invitation must comply with all the relevant administrative procedures that are outlined above in relation to certification, H&S compliance, insurances, etc.

The direct invitation procedure is managed as follows:

- 4.2.3.1 The aim of the procurement process is the creation or acquisition of a unique work of art or artistic performance.
- 4.2.3.2 The Art Management Office's project manager may seek advice of the arts organisation/cultural body relevant to the art form and the local Arts Officer.
- 4.2.3.3 The Art Management Office, in consultation with the Project Architect/Engineer of the capital project, may directly appoint an artist to a commission if – following research, discussion and considering other commissioning options – it is deemed that an artist's practice or art form is uniquely appropriate to the aims and objectives of the commission.
- 4.2.3.4 The Art Adviser must approve direct invitation commissions prior to progressing the project with an individual artist(s).

5. Who do I contact if I have additional questions?

Please call or email the Art Management Office with any questions you may have in relation to the OPW State Art Collection or the Per Cent for Art Scheme: 01 6476076 / 01 6476077 or artmanagement@opw.ie.