

CHAPTER IX

PROJECTS FOR WORKS OF ART

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PURPOSE:

There are two statutes concerning works of art in public places. CRS 24-80.5-101 contains the requirement for all state agencies, other than the Department of Corrections, to provide an allocation of not less than 1 percent of capital construction costs to be used for acquisition of works of art. CRS 24-80.5-102 details the authority for Department of Corrections to administer the program for those works of art in correctional facilities which provide an allocation of not less than 1/10 of 1 percent of capital construction costs to be used for a prison inmate art fund. The purpose of this procedure is to enable:

- ♦ State agencies to identify capital construction projects which are eligible for the *Works of Art in Public Places* program with Colorado Council on the Arts and to provide fiscal guidelines to follow in accounting for the planning and construction of the works of art. Contact the Council on the Arts at 303-894-2617 with questions regarding this program.
- ♦ The Department of Corrections to identify projects eligible for the *Works of Art in Correctional Facilities* program and to provide fiscal guidelines.

This procedure is written for the operating state agency, Colorado Council on the Arts and the Department of Corrections.

DEFINITIONS:

See Chapter 1, Section 2.

ACCOUNTING/FISCAL ADMINISTRATIVE REQUIREMENTS:

In accordance with CRS 24-80.5-101 (3) (a),

Except for works of art in correctional facilities, agricultural facilities where livestock are housed or products are grown, the diagnostic center, and facilities authorized in SB 101 passed by the fifty fifth general assembly, each capital construction appropriation for a public construction project shall include as a nondeductible item an allocation of not less than one percent of the capital construction costs to be used for the acquisition of works of art. Per the definition included in the statutes, public construction project does not include controlled maintenance projects or higher education projects completely funded from exempt institutional sources.

The Colorado Council on the Arts is responsible for administering the Works of Art in Public Places program in accordance with CRS 24-80.5-101 (3). The Office of State Planning and Budgeting (OSPB) is responsible for ensuring compliance with the above statute.

A state agency other than the Department of Corrections that has a project eligible for the *Works of Art in Public Places* program is required to notify Colorado Council on the Arts, Agency GBA, of said project by forwarding a copy of the project application (SC 4.1) signed by the SCO.

The allocation for the acquisition of works of art shall be not less than 1 percent of the capital construction costs of the project. Any portion of the allocation for art not expended for the following:

- ♦ Artist's preliminary site visits;
- ♦ Design fee;
- ♦ Completion and installation of the work of art;
- ♦ Jury expenses;

shall revert to the general fund.

The Council on the Arts will establish a separate appropriation code for each capital construction project that contains a one percent allocation for art. An amount not to exceed 15 percent of each individual art allocation may be used the Council to cover administrative costs. Travel and other expenses for artists making proposals for works of art will be accounted for as an individual project expense. The Council will have three years from the date the funds are received from the state agency to complete the project. Uncommitted funds at the end of three years will revert to the General fund

PROCEDURAL FOCUS:

The procedural steps below will address both the procedures to be followed by the state agency appropriated the capital construction project and Colorado Council on the Arts. The operating state agency procedures are Steps 1 through 5. The Colorado Council on the Arts procedures is steps 6 through 9. Higher education institutions will forward a warrant to Colorado Council on the Arts for the transfer of cash under this procedure.

OPERATING STATE AGENCY:

Step 1: Determine the amount of construction costs for the eligible project and compute the 1 percent amount to be used for the *Works of Art in Public Places* program. If assistance is needed in determining the total construction costs, consult with the director of State Buildings Program.

Step 2: List this amount on the project application under the approval request section line B4 percentage for art. (Refer to illustrated example of SC 4.1 in the Appendix).

- Step 3:** Send a copy of the approved and signed SC 4.1 for an eligible project to Colorado Council on the Arts at 750 Pennsylvania Street, Denver, CO 80203.
- Step 4:** Encumber the amount of the 1 percent for Colorado Council on the Arts by entering and approving a PO document into COFRS for the eligible capital construction project. This will commit the appropriation for the project to the one percent allocation required for the *Works of Art in Public Places* program.
- Step 5:** Initiate and approve an IT document or issue a warrant to the Council for the amount indicated on the SC4.1

COLORADO COUNCIL ON THE ARTS:

- Step 6:** Establish an appropriation code for the project within fund 273 when the copy of the SC 4.1 is received.
- Step 7:** Prepare an AP document for the cash exempt amount identified on the project application line B4 for the *Works of Arts in Public Places* program. This appropriation transaction should have a cash exempt revenue source for the funds that are being recorded. Up to 15 percent of the allocation may be recorded in appropriation code 001 to cover administrative costs.
- Step 8:** Submit the AP transaction to FAST for approval. These projects have a maximum three year life from the time the Council receives the funds.
- Step 9:** Either complete the IT document prepared by the state agency or deposit the warrant received from the state agency with the State Treasurer

WORKS OF ART IN CORRECTIONAL FACILITIES

Per CRS 24-80.5-102, each capital construction appropriation for a correctional facility shall include as a nondeductible item an allocation of not less than one-tenth of one percent of the capital construction costs to be used for a prison inmate art fund. The Department of Corrections shall administer by rule and regulation this program. Appropriations in fund 273 for the Department of Corrections are available for a period of 3 years or completion of the project which ever occurs first. Uncommitted funds at the end of three years will revert to the capital construction fund.

The steps to followed by the Department of Corrections are as follows:

- Step 1:** Identify projects in fund 461 that are eligible for the *Works of Art in Correctional Facilities* program.

- Step 2:** Encumber the amount in the fund 461 project that is the one tenth of one percent designated for art work.
- Step 3:** Establish an appropriation code for the art project within CBA agency, fund 273.
- Step 4:** Prepare an AP document with the cash exempt amount. Prepare a COFRS IT; use a transfer-out object code in fund 461 and use the appropriate transfer-in revenue source code in fund 273 to record the revenue. Attach a copy of the original project SC 4.1 to the AP. Also attach a screen copy of the IT showing the transfer of revenue to fund 273.
- Step 5:** Apply a level 3 approval to the completed, error free AP transaction.
- Step 6:** Submit AP to FAST for level 5 approval. Process IT.