

01

CELEBRATING
AMERICA'S
FOUNDING
FREEDOMS



MY BILL OF RIGHTS.ORG



THE BILL OF RIGHTS
MONUMENT PROJECT

02

A LEGACY OF
LANDMARK
INSTALLATIONS

03

ART AND
INSPIRATION
IN OUR PUBLIC
SQUARE



COMMISSIONING GUIDELINES
& STANDARDS

VISION AND PROCESS



04

BECAUSE GREAT
IDEAS MAKE A
GREAT NATION

THE BILL OF RIGHTS MONUMENT PROJECT

COMMISSIONING GUIDELINES & STANDARDS

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I. INTRODUCTION

a. FOUNDATION OVERVIEW

THE BILL OF RIGHTS, the cornerstone of our free society for over 220 years, now stands as the most successful assertion of individual rights and liberties ever written. In a testament to the power of its ideas, principles once considered radical like freedom of expression and belief, the presumption of innocence, due process and equality under the law, are today considered universal human rights. Yet today, the Bill of Rights is barely taught in our schools, and is all but invisible in our public places.

MYBILLOFRIGHTS.ORG and **THE BILL OF RIGHTS MONUMENT PROJECT** were created to enrich the public domain and fill that white space. Our mission is to spread awareness of the freedoms and principles in the Bill of Rights through the placement of monuments across America, beginning with the grounds of our 50 State Capitols.

MONUMENTS ARE UNIQUE IN THEIR CAPACITY TO CONNECT US with our heritage and ideals. By showing each new generation what those before them felt was so important that they literally carved it into stone and forged it into metal, monuments make history visible, tangible and ultimately personal.

This is especially true for younger people, which is why we have chosen State Capitols as our primary focus. Every year millions of American school children, along with

millions more visitors of all ages take a trip to their State Capitol. For most, it's their first encounter with our democratic process. They visit their representatives, watch a legislative session, and tour the building and grounds. What better place to pay public tribute to the founding freedoms and principles embodied in the Bill of Rights?

When completed **THE BILL OF RIGHTS MONUMENT PROJECT** will leave a legacy of unprecedented scope: a national network of landmark monuments spanning America's State Capitols, providing inspirational settings for millions of visitors each year to reflect on the cherished American ideal of Liberty and Justice for All.

b. COMMISSIONING OVERVIEW

THE BILL OF RIGHTS MONUMENT PROJECT is also a unique opportunity to commission a vibrant collection of public artwork and place making. Our vision of a nationwide compilation of independently organized projects creates challenges for executive committees and artists alike. Each installation will be subject to different jurisdictional site and review standards, while also being part of a national project. And while each design must succeed first and foremost in its own context, it also takes its place among the others.

MyBillOfRights.org developed this document to address these challenges. It sets forth our national project commissioning guidelines as a framework for individual project organizers and artists considering submissions.

II. TERMS

a. **ORGANIZATIONAL DEFINITIONS**

THE FOUNDATION FOUNDATION is a 501(c)3 charitable organization and will be Commissioner and Owner of the Monument until final transfer of the Artwork and Project to the Acquisition Owner.

MYBILLOFRIGHTS.ORG is the registered trade name and web address of **THE FOUNDATION FOUNDATION**, and is abbreviated as MBOR throughout this document.

ACQUISITION OWNER is the property owner and entity that will receive the donated Monument Artwork and Project, and that commits to the long-term care and maintenance.

PERMANENT CIVIC ART INSTALLATION is defined as a Monument Artwork and Project that is permanently installed as part of the Architecture or Landscape on publicly or privately owned property and for the benefit for the community.

b. **REVIEW BOARDS & FACILITY MANAGERS**

MOST GOVERNING ENTITIES AND PRIVATE INSTITUTIONS have review boards and facility managers that will provide specific criteria for statutory review and approval. All Monument Projects that MBOR

commissions must meet the governing regulations and requirements of the proposed site and satisfy the Acquisition Owner. The jury panel and review boards may include but are not limited to

- MBOR Board and Staff
- MBOR Design Consultant
- Architectural Board of Review
- Historic Landmarks Commission
- Arts in Public Places Panel
- Parks and Recreation Panel
- Facilities Commission
- Building and Planning Services

III. PROJECT COMMISSION ESSENTIALS

a. SELECTION CRITERIA FOR PROPOSALS

MBOR will evaluate all project submissions with attention to the following qualities and characteristics:

- **ARTISTIC MERIT** the inherent quality of the work itself;
- **SITE COMPATIBILITY** in scale, material, form, content and refinement of the work within the surrounding Capitol grounds and environment;
- **RELATIONSHIP** to the MBOR foundation goals, vision and previous projects which strive for legacy projects of originality, diversity in style, scale, media;
- **STRUCTURAL AND SURFACE SOUNDNESS** including thoughtful resistance to theft, vandalism, weathering, excessive maintenance or repair costs, and safety considerations or factors that may bear on MBOR financial and good faith stability, as well as that of the Acquisition Owner;
- **FEASIBILITY AND PROFESSIONAL EXPERIENCE** or the ability of the artist to complete the proposed

work; Applicants must exhibit potential to complete the project within the outlined budget, schedule and guidelines.

- **PROPOSED SCHEDULE** the soundness of the proposed short and long-term plan for executing the work and the requirements needed upon construction and completion including the maintenance plan that will be required by Acquisition Owner.

b. REQUIREMENTS FOR SUBMISSION

THE APPLICANT MUST PROVIDE DURING PHASE ONE REQUEST FOR QUALIFICATIONS

- A letter of intent for the proposed monument project;
- A current resume;
- Three references with contact information;
- Ten images of previous artworks including descriptions of the size, location, cost, and those involved in the design team or subcontractors;
- A PowerPoint Presentation of personal work during the interview process, if a jury selected finalist.

THE APPLICANT MUST PROVIDE DURING PHASE TWO REQUEST FOR PROPOSALS:

- Drawings, photographs, models, or videos of the proposed artwork.
- Site plan with photographs of site and surrounding Capitol grounds and/or neighborhood, indicating artwork and project *in situ*, and to scale.
- Schedule including installation dates and duration.
- Samples of actual materials to illustrate color palette and quality of materials.
- Description of construction methods and installation;
- A project budget within a not-to-exceed contract including contingency budgets, and a list of potential expenses that may be incurred by MBOR.
- Typically a maintenance fund is required of MBOR by the Acquisition Owner. Therefore the applicant must provide a report or plan that outlines future maintenance requirements.

b. SUBMISSION REVIEW PROCESS

PHASE ONE: REQUEST FOR QUALIFICATIONS

RFQ entries that meet all the submission requirements will be evaluated by an appointed jury, and will result in a shortlist, formally recognized as the Jury Selected Finalists.

The Jury Selected Finalists will be asked to present a PowerPoint presentation of their previous work.

A paid proposal phase will begin thereafter, and upon an even further narrowing down to one Finalist, and an Alternate.

PHASE TWO: REQUEST FOR PROPOSALS

When the RFQ phase is complete, the applicant must submit materials to MBOR prior to other reviewing agents.

The purpose of the pre-review meeting is to inform the applicant of the major issues and review process involved with the proposal. A typical project review flow chart is provided on Page 8/9 of these guidelines.

The pre-review committee will be comprised of the following:

- MBOR Board Member and/or Coordinating Staff;
- MBOR Design Consultant;
- Other Stakeholders as Decided by MBOR

Upon favorable pre-review, MBOR will schedule a more inclusive RFP presentation where the applicant will present their proposal to other review boards and facilities managers.

ONE FINALIST WILL BE SELECTED FROM THIS PRESENTATION and a Design Contract will be awarded.

C. PROPOSAL BUDGET & AWARDS

TO ESTABLISH BUDGET PARAMETERS, the following will be used as a guideline. While final costs will depend upon specific project requirements, it is MBOR's experience that the following allowances will be applicable in the planning of future projects.

THE "SOFT COSTS" FOR DESIGNERS (ARCHITECTS & ARTISTS) AND their sub-consultants, (Structural, Civil, MEP engineers, Landscape Architects) are generally a negotiated percentage of "hard" construction costs, and typically on a sliding scale.

AS CONSTRUCTION BUDGETS GO UP, SOFTS COSTS OFTEN GO down, or at least remain within an industry range. Other factors for percentages are tied to project scope, as well as design and general project conditions.

IN PROJECTS WHERE THERE IS A HIGH LEVEL OF PUBLIC REVIEW and significant stakeholder input, as well as

expectations for high quality control compatible with State Capitol settings, the project can be expected to trend to the upper percentile.

FOR CONSTRUCTION PROJECTS BELOW \$1,000,000.00, the design and sub-consultant fees typically fall between 20% - 25% of the total construction amount.

Contingencies generally falling in the range of 10-15% must also be budgeted as part of each project subtotal. As the project evolves through the phases, the contingency total should be lowered. It is also important that an Owner's Contingency is applied especially for changes that may develop as part of MBOR's design program.

State maintenance fees are also required for the long-term care and protection of the monument. Most maintenance fees are calculated at 10% of Design and Construction budgets.

Finally, the operational costs of MBOR must be calculated into the budget at 15% of the overall project costs.

A CONSTRUCTION BUDGET AND SCOPE SIMILAR TO THE ARIZONA STATE CAPITOL PROJECT is the standard minimum commitment that MBOR will service. The following breakdown of top line items may therefore be referenced for planning and budgeting.

DESIGN COSTS	\$84,000.00
FABRICATION/INSTALLATION COSTS	\$325,000.00
STATE MAINTENANCE FUND (10% of above items)	\$41,000.00
MBOR OPERATIONAL COSTS (15% of total costs)	\$68,000.00

TOTAL MONUMENT PROJECT COSTS **\$518,000.00**

***Contingencies are included in all subtotals**

FOR FUTURE PROJECTS when a Request for Proposal is issued, a prize award will be given to the Selected Finalists. The fee paid for an initial design is dependent upon the approved site parameters as well as the programmatic, or project scope. An honorarium fee, however, should fall in the range of \$3,000 -\$5,000 for the first conceptual design. This fee amount will be paid to the Finalist, and an Alternate Designer upon receipt of their qualifications, and for a schematic proposal.

d. DESIGN CONTRACT PROCESS

A DESIGN CONTRACT IS AWARDED and based upon a negotiated, fixed-amount for the proposed Monument Project.

REVIEW BY OTHERS FOR COMMENTS & APPROVAL

Following the RFP first tier review and approval, the applicant may be required to present the proposal to other local review boards such as an Historic Landmarks Commissions, Architectural Board of Review, and/or

Parks and Recreation Commission. A Joint Review by MBOR with Boards or Commissions may be suggested.

REVIEW FOR FINAL APPROVAL

After receipt of the completed submissions, and final design approval from all committees and commissions, MBOR will move to approve and award the winning design for the construction document phase and fabrication contract.

e. CONSTRUCTION PHASE AND FABRICATION CONTRACT

A CONTRACT FOR CONSTRUCTION DOCUMENTS, and the fabrication or construction of the monument project will be executed at this time. All site analysis, project design including material selection, landscaped elements, or installation concepts should be completed. It is likely that an application for and securing of a building permit will be necessary, depending on the project details and jurisdiction. This permit will be the responsibility of the construction manager or general contractor for the monument installation

NOTE: ALL DESIGN SCOPE AND PHASES, AS WELL AS COMMITTEE AND STAKEHOLDER APPROVALS, WILL BE DESCRIBED IN GREATER DETAIL WITHIN THE SPECIFIC CALL FOR A PROJECT COMPETITION.

f. DESIGNER'S RESPONSIBILITY

THE DESIGNER IS RESPONSIBLE FOR MONITORING THE SUBMISSION PROGRESS throughout review, as well as all phases of the design and execution of the Monument and Placemaking.

THE DESIGNER IS RESPONSIBLE FOR SERVICES to complete project phases including Schematic and Design Development, Construction Documents and Limited Site Construction Administration.

THE DESIGNER IS EXPECTED TO PROVIDE LEADERSHIP responsibilities for the required consultants and sub-consultants such as geo-technical, civil or structural engineers, landscape architects, lighting designers and/or permit services.

THE DESIGNER IS RESPONSIBLE FOR COMMUNICATION WITH MBOR at each stage of development and alerting the foundation to any changes or delays.

FOR THE COMMISSION THE DESIGNER MUST PROVIDE proof of insurance sufficient to meet the requirements of MBOR, the Acquisition Owner, and the Facilities Risk Manager.

THE DESIGNER MUST PROVIDE SUPPORTING MATERIALS requested by the review agent or board. For example, if a project has a significant environmental result, an environmental impact assessment may be required. Also, if placement relates significantly to a particular neighborhood other stakeholder approvals may be requested.

01

MY BILL OF RIGHTS.ORG
CALLS FOR RFQ;
DESIGNERS PREPARE RFQ
& SUBMIT

02

MBOR & STAKEHOLDERS
REVIEW RFQ'S, CREATE
SHORTLIST, INTERVIEW &
SELECT THE FINALIST &
ALTERNATE DESIGNER

03

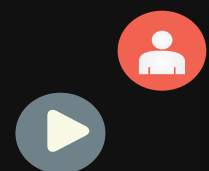
MBOR REQUESTS RFP,
DESIGNERS SUBMIT
PROPOSALS, 50%
HONORARIUM PAID

04

FINAL CONCEPT DESIGN
APPROVED
& HONORARIUM FEE
AWARDED

05

SUBCONSULTANTS
SELECTED, DESIGN
CONTRACTS AWARDED,
DESIGN PROCEEDS THRU
SD & DD PHASES



06

PRELIMINARY
CONSTRUCTION
ESTIMATES SOLICITED

07

CD'S COMPLETED, FINAL
MBOR & STAKEHOLDER
APPROVAL

08

CONSTRUCTION BIDDING
& CONTRACT AWARDED

09

PLAN CHECK &
BUILDING PERMITS

10

INSTALLATION,
PLACEMAKING &
CELEBRATE



MyBillOfRights.org

THE BILL OF RIGHTS MONUMENT PROJECT