

Save Outdoor Sculpture!

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Selecting and Contracting with a Conservator

Informed decision making eases the process

by Ellen Cochran Hirzy

Finding a qualified conservator for outdoor sculpture is serious business. Your ultimate responsibility is to preserve a work of art, an irreplaceable treasure that must be approached with the utmost care, skill, and sensitivity.

If the conservator is inexperienced, uses inappropriate materials, or cuts corners to reduce costs or save time, the damage can be devastating and often irreparable. When the conservator is highly qualified, sensitive to aesthetic and art historical concerns, and knowledgeable about materials and methods, the results can bring new life to the sculpture.

To the novice project manager, the highly specialized field of conservation can be confusing. But many novices have established successful working relationships with conservators and, in the process, gained confidence in their ability to understand the complexities of conservation.

This handbook is written for owners of public sculpture and other community leaders who want to save this valuable heritage for future generations. The key to responsible action is information. When you know what your needs are, seek sound professional advice, and evaluate prospective conservators' qualifications thoroughly, you are better equipped to make wise and prudent decisions about conservation. Use this handbook to prepare for the selection and contracting process and as a guide to contracting options. Remember that, ultimately, the success of a conservation project—and the future well-being of your community's sculpture—depend on the qualifications and skills of the conservator you choose.

1. Clarify purposes and expectations.

Before you begin looking for a conservator, you must be able to communicate what you want to accomplish. You may want a conservator to do one or several of the following tasks:

- conduct a condition assessment and present treatment and maintenance options
- perform conservation treatment
- develop and carry out a maintenance program
- prepare bid specifications or a request for proposals (see sections 4 and 5) as a preliminary step to an assessment or treatment project

Clear objectives will help you match the right conservator to your project and help the conservator provide the information and services you need.

A brief but thorough education in the issues, language, and methods of outdoor sculpture conservation is also essential. Learn about the materials, fabrication methods, and deterioration mechanisms of various types of outdoor sculpture as well as the ethical and aesthetic issues involved. (A good resource is *Guide to the Maintenance of Outdoor Sculpture*.) When you are equipped with a basic working vocabulary, you will be able to ask prospective conservators thoughtful questions and evaluate their responses. Having an overview of the most commonly used conservation methodologies and materials will also make you an informed client.

As you define your project, remember that contracting for and scheduling conservation work take time, especially if the contracting procedure has multiple steps. Many conservators schedule projects up to a year in advance, so work on your sculpture may not begin immediately after you award the contract. Allow enough time for these variables.

2. Identify qualified conservators.

Conservators have many specializations, from paintings to works of art on paper to photography, and more. Those who specialize in outdoor sculpture also have subspecialties (bronze, stone, wood, and so forth). Begin by locating several people whose skills and experience are comparable and appear to match your needs. Professional qualifications are always the most important criterion. Geographic proximity is helpful but not necessary.

A board or committee member from your organization who is a conservator will be a valuable resource throughout the process, and especially as you define needs and identify and evaluate possible conservators. Community adopt-a-sculpture programs are also good sources of advice, as are museums, corporations, or universities with outdoor sculpture collections. Municipal, county, and state arts councils and historic preservation commissions as well as nonprofit arts organizations may be able to suggest names.

The Foundation of the American Institute for Conservation of Historic and Artistic Works (FAIC) operates a nationwide referral system through which you can obtain a free, computer-generated list of conservators grouped by location, specialization, and type of service. You can also consult FAIC or a regional conservation center for a list of regional and local conservators' organizations.

3. Determine the contracting method.

The agency or organization that administers the sculpture needing conservation usually has specific contracting procedures. In state, county, and municipal governments these procedures may pose particular challenges, especially if they require a sealed bid process in which cost is the only selection criterion.

In some communities, the care of public sculpture and monuments may be assigned to agencies that maintain parks and recreational facilities, highways, or government office buildings. Officials of these agencies may be interested and well meaning, but they usually do not have specific, detailed knowledge of the needs and requirements of works of art.

As advocates for public sculpture, you can navigate through the complexities of contracting to assure that the person or firm selected is the best-qualified professional for the job. Contracting procedures should never stand in the way of good conservation. Your first task is to educate the appropriate people in the department responsible for contracting or procurement. The message is simple: Sculpture is not the same as a sidewalk, a flagpole, or a park bench. When it comes to conservation treatment and maintenance, sculpture requires the expertise of a trained, knowledgeable conservator who specializes in works of art. Citizens

will receive the greatest benefit from their tax dollars when their public sculpture gets sensitive care from responsible professionals.

When contracting for conservation, the bid process must be designed to accommodate the special needs of sculpture. Discuss the options with your contracting office, and ask how to obtain a variance or an exception if the procedure is unacceptable. Typically, there are three methods:

- Solicit competitive bids in response to a Request for Proposals (RFP), and select the contractor based on qualifications first and then cost. Bidders may be prequalified, or the bidding process can be open to anyone.
- Negotiate a contract (sometimes called a sole-source contract) with a conservator with whom you have an established relationship or whom you have preselected from a pool of qualified professionals.
- Invite sealed bids and select the lowest bidder.

The decision-making process outlined in this handbook assume that you will seek competitive bids or award a sole-source contract. These two methods are highly recommended for works of art because potential contractors will be judged on the quality of their work and appropriateness of their background.

Soliciting competitive bids is preferable if you are just beginning to work with conservators, if the project is large or long-term, or if you are required to solicit bids. When you take this approach, it is absolutely critical to invite proposals from conservators with similar qualifications and experience. The carefully written, detailed project specifications you provide the bidders will enable them to prepare thorough proposals.

A sole-source contract is appropriate if your project is very small, if you already have experience in finding and working with conservation professionals, or if the project is so complex that bid specifications could be inconclusive. Be aware, however, that this option may not automatically be available when working with a government agency's contracting office; you may have to seek an exception.

Always make the case against a sealed bid process, in which cost is the sole determining factor. Stress that the highly specialized nature of works of art requires equally specialized conservation services. Conservators are trained in chemistry, studio arts, and art history and have both theoretical knowledge and practical experience. A substantial body of research has identified proper cleaning materials and techniques for outdoor sculpture. Explain that inappropriate conservation measures can result in costly mistakes and irreversible damage. When you evaluate contractors on the basis of cost alone, you are unlikely to end up with the best-qualified firm, and you put the sculpture at great risk.

If you are unable to obtain an exception to the sealed-bid method, be sure that the project specifications are clear and detailed and describe every aspect of the work involved. Require a list of all projects completed within the past several years. Ask each bidder to describe the qualifications of all personnel who will be involved in the project, not just the principals. Although these factors will not be evaluated in the sealed-bid process, it helps to remind bidders of their significance. It is advisable to hire a conservator who has experience with outdoor sculpture to prepare the bid package so that the specifications provide both aesthetic goals and technical information.

Chapter 7 of *Guide to the Maintenance of Outdoor Sculpture* offers detailed advice on this subject about contracting for conservation services through a public agency.

4. Prequalify conservators.

When you proceed with a competitive bidding process or a sole-source contract, you can narrow the list of prospective contractors by finding out more about each individual's (or firm's) skills,

experience, and personal qualities.

Use a formal document, sometimes called a Request for Qualifications (RFQ), for preselecting competitive bidders or for screening candidates for a sole-source contract.

See the “Checklist for Prequalifying Conservators” for a detailed outline of this document. Generally, it should ask for the following information:

- extent and length of experience and expertise in the documentation and conservation of outdoor sculpture
- type, scope, and location of the conservator’s practice
- type and extent of the conservator’s training and continuing education and that of associates or employees who would work on your project
- outdoor sculpture conservation and condition assessment projects completed or under way, including brief descriptions of treatment methods
- names of previous clients whose work is comparable to yours
- availability to carry out your project

Other less tangible qualities are important, too. Consulting references is the best way to judge them. Ask previous clients whether the conservator

- is highly sensitive to art historical importance and aesthetic considerations of outdoor sculpture;
- can make quick, competent decisions in the course of treatment;
- uses professional judgment about materials and techniques;
- keeps the client fully informed about problems or changes in the expected work;
- demonstrates a commitment to the highest standard of work through adherence to the Code of Ethics and Guidelines for Practice of the American Institute for Conservation;
- explains his or her work in terms you can understand and enjoys the educational aspects of providing conservation services; and
- provides informative, thorough, and readable treatment reports.

Ideally, you should try to establish working relationships with one or more conservators whose qualifications meet your needs. You can work with these conservators regularly using sole-source contracts or maintain their names on a list of preselected bidders. Ongoing relationships with the right conservators offer consistency, reliability, and peace of mind.

5. Prepare a request for proposals.

Whether you are soliciting competitive bids or negotiating a sole-source contract, you should describe your project and your expectations in writing. Use a request for proposals (RFP) to review the overall purpose of the project, including which sculptures are involved. State who will supervise the project, what the expected timetable is, and what the proposal deadline is. Outline the type and extent of insurance the conservator will be expected to carry, and spell out any special circumstances the bidders should know about. The clear objectives you established as you began your search will be helpful at this stage.

If your project is large or if you have no experience in selecting conservators, consider contracting with a conservator to prepare the RFP and help evaluate the responses. The time and money you invest in developing complete, accurate specifications will pay off in the form of thorough proposals. Often, a government agency will permit a sole-source contract for this purpose.

Remember that a conservator invests considerable time and resources in putting together an effective proposal. Some qualified professionals will not submit proposals without compensation. Budgeting for a flat fee to each bidder assures that your options are not limited.

Use the “Checklist for a Request for Proposals” when preparing the RFP. The most important element is the specifications outlining the scope of work. Depending on the

purpose of the project, the specifications may list the following steps:

- Assess the structural integrity of the sculpture.
- Assess the surface conditions.
- Describe the general appearance.
- Propose a plan for conservation or restoration, including a detailed description of the methods and materials, time frame, personnel, safety precautions, and available utilities and services.
- Propose a plan for written and photographic documentation of the process.
- Propose a maintenance plan and describe the conservator's future involvement.
- If conservators must make special arrangements to gain access to the sculpture for inspection, the RFP should provide the necessary details.

The RFP should also specify information to be included in the proposal, usually

- the qualifications of principal conservator, employees, and subcontractors
- a detailed work plan and schedule
- resumé and names of references for principal conservator, employees, and subcontractors
- list of all projects completed with the past two to five years, with names of references for each one, and a summary of previous experience
- project fee and budget
- description of the conservator's liability insurance coverage

Finally, the RFP should list the specific criteria to be used for evaluating proposals, as explained in section 6.

6. Evaluate the proposals.

If you have obtained competitive bids, the proposals are the grounds for your decision and ultimately for the contract. In the case of a sole-source contract, the proposal is the basis for agreement between client and conservator on the scope of work, fee, schedule, and other conditions.

To evaluate proposals in either case, form a small advisory committee of knowledgeable people who can assess the technical merits of each conservator's experience, methods and materials, schedule, and fee. Interviews with the finalists are helpful for judging subjective qualities, but previous clients can also give you their candid assessments.

Develop written evaluation criteria with room for remarks (or scores) by each committee member. Evaluate each candidate using these questions:

- Does the conservator demonstrate a clear understanding of the project?
- Is the work plan realistic, thorough, and of high quality?
- Is the proposed treatment method reversible?
- Do all personnel who will be involved have the appropriate experience and qualifications?
- Do the conservator's availability and proposed schedule meet your needs?
- Is the cost commensurate with the specifications and time frame and within your budget?

When evaluating competitive bids, remember that cost should never be the sole determining factor. Automatically contracting with the lowest bidder without considering other criteria is one of the most frequent mistakes organizations make when selecting conservators. Give the highest priority to subjective criteria such as experience, qualifications, and proposed treatment methods.

If the conservation price tag is daunting, you may have to revise your expectations. Never compromise on the conservator's qualifications, experience, or quality of work. Instead, plan the project in phases as your budget permits, treating the sculpture in greatest need first. Or begin with a small project and then move to more extensive ones as funds are available. Use treatment proposals submitted by qualified professionals to plan your fundraising strategy.

7. Negotiate a contract.

A written contract with a conservator should include the following points:

- a detailed statement of the scope of work, including sections of the RFP, as appropriate
- requirements for the treatment report, including photographic documentation and specification of materials used
- a project schedule
- the fee, payment schedule, and terms of payment
- the name of the person the conservator reports to
- documentation of insurance (including worker's compensation, liability, and fine arts insurance)
- conditions and procedures for revising the scope of work if necessary, terminating the contract, and settling disputes.

Your work on behalf of the outdoor sculpture in your community is multifaceted: building public awareness, raising money, and creating public-private partnerships. All these efforts support your ultimate goal of preserving and restoring a public legacy. Choosing a conservator is one of the most critical decisions you will make. When you establish a productive working relationship with a professional who understands the job at hand and is expertly qualified to carry it out, your efforts will be well rewarded.

Checklist for a Request for Proposals

Basic information

- Title, location, and owner of sculpture
- Name of contracting organization, address, and phone and fax numbers
- Name of contact person
- Deadline for submission of proposal
- Number of copies and other submission instructions

Project information

- Background details about the sculpture (history, overall condition, conservation and maintenance history)
- Proposed time line or deadline for completion
- Sources of funding
- Site and access information, including availability of utilities and site restrictions
- Location and availability of reference files about the sculpture
- Condition assessment (attach as an appendix)
- Requirements for local taxes and contract fees

Scope of work

- Conservation treatment, assessment, or maintenance
- Meetings and project review
- Report and visual documentation
- Insurance requirements
- Licenses and permit requirements

Proposal format

- Name, location, and scope of firm or individual practice
- Years established and current size of practice
- Qualifications of all project personnel, including resumés and names of references
- Liability insurance information
- Conservation experience, including:
 - list of all projects completed within the last five years, including names of references, approximate budgets, and other pertinent information
 - additional details, including descriptions and photographs, about comparable projects
- Description of ability to meet project schedule, or suggested revisions to schedule with justifications
- Scope of services, including statement about overall approach to the project: treatment goals; methods and materials; treatment rationale; sequence of work; safety precautions; written and photographic documentation
- Project fee schedule, shown by component

Selection process

- Selection and contracting process steps and timetable
- Evaluation criteria
- Selection committee

