General Services Administration Washington, DC 20405

ADM 2800.12B, Change 198 April 29, 2025

GSA ORDER

Subject: General Services Administration Acquisition Manual; GSAM Case 2025-G507, Update Art in Architecture

- 1. <u>Purpose</u>. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM) to update GSAM 536.70, Art in Architecture, to be in compliance with Executive Order 13934.
- 2. <u>Background</u>. GSA's Art in Architecture (AiA) Program is responsible for the overseeing and commissioning of artists to create artworks when designing new Federal buildings and when making substantial repairs and alterations to existing Federal buildings, as appropriate. GSAM 536.70 prescribes acquisition policies, standards, and procedures for commissioning art for GSA's AiA Program. <u>Executive Order (EO) 14189</u>, Celebrating America's 250th Birthday, issued January 29, 2025, reinstated <u>EO 13934</u>, Building and Rebuilding Monuments to American Heroes, issued July 3, 2020. The American Heroes EO, among other things, sets forth criteria and requirements for the commissioning of new statues and works of art. It directed GSA to prioritize the commission of works of art that portray historically significant Americans or events of American historical significance or illustrate the ideals upon which our Nation was founded.
- 3. Effective date. April 29, 2025
- 4. Explanation of changes.

This amendment includes non-regulatory changes. For full text changes of the amendment see Attachment A, GSAM Text Line-In/Line-Out.

This amendment revises the language of the following GSAM subparts, changes summarized below:

536.70 (Art in Architecture)

GSAM 536.7001-2 (Authority):

• 536.7001-2(d) is added to set forth the requirements of EO 13934.

GSAM 536.7002-1 (Acquisition Planning):

• 536.7002-1(b) is updated to reflect the Center for Fine Arts.

GSAM 536.7002-2 (Public Announcement):

- 536.7002-2(c) paragraph (2) is updated to include the requirements of EO 13934.
- 536.7002-2(c) paragraphs (3) (8) are renumbered.

GSAM 536.7002-4 (Procedures):

• 536.7002-4(d)(3) is updated with the term tenant.

GSAM 536.7003-1 (Selection criteria):

• 536.7003-1(a)(4) is updated to reflect that the approach is consistent with the standards publicly announced under 536.7002-2(c)(2).

GSAM 536.7003-2 (Evaluation board):

• 536.7003-2(a) and (c) are updated with the term tenant.

GSAM 536.7003-4 (Selection authority):

- 536.7003-4(c) is added to reflect that the selection authority shall submit a report to the GSA Administrator if the proposal selected is not consistent with the standards set forth under 536.7702-2(c)(2).
- 5. <u>Cancellations</u>. Not applicable.
- 6. <u>Point of contact</u>. For clarification of content, contact Amy Lara, GSA Acquisition Policy Division, at <u>gsarpolicy@gsa.gov</u>.

Jeffrey Koses Senior Procurement Executive Office of Acquisition Policy Office of Government-wide Policy

Attachment A GSAM Case 2025-G507 GSAM Text, Line-In/Line-Out

GSAM Baseline: Change 197 effective 4/16/2025

• Additions to baseline made by rule are indicated by [bold text in brackets]

• Deletions to baseline made by rule are indicated by strikethroughs

• Five asterisks (* * * * *) indicate that there are no revisions between the preceding and following sections

• Three asterisks (* * *) indicate that there are no revisions between the material shown within a subsection

Part 536 - Construction and Architect-Engineer Contracts

* * * * *

Subpart 536.70 - Art in Architecture.

* * * * *

536.7001 General.

* * * * *

536.7001-2 Authority.

* * * * *

(c) * * *

[(d) In accordance with Executive Order (EO) 13934, agencies should prioritize the commission of works of art that portray historically significant Americans or events of American historical significance or illustrate the ideals upon which our Nation was founded. Priority should be given to public-facing monuments to former Presidents of the United States and to individuals and events relating to the discovery of America, the founding of the United States, and the abolition of slavery.]

* * * * *

536.7002-1 Acquisition planning.

(a) ***

(b) The [Center for Fine Arts]Art in Architecture & Fine Arts Division, in collaboration with

the PBS Office Acquisition Management, may provide prototypical language to include in art in architecture solicitations.

* * * * *

536.7002-2 Public announcement.

* * * * *

- (c) * * *
 - (1) ***
 - [(2) Statement that:

(i) Priority should be given to public-facing monuments to former Presidents of the United States and to individuals and events relating to the discovery of America, the founding of the United States, and the abolition of slavery;

(ii) Works of art should be designed to be appreciated by the general public and by those who use and interact with Federal buildings; and (iii) When a statue or work of art commissioned is meant to depict a historically significant American, the statue or work of art shall be a lifelike or realistic representation of that person, not an abstract or modernist representation;]

- [(3)](2) * * *
- [(4)](3) * * *
- **[(5)]**(4) * * *
- [(6)](5) * * *
- [(7)](6) * * *
- [(8)](7) * * *
- (d) Synopsis approval process. * * *(e) Timeline for posting solicitation. * * *

* * * * *

536.7002-4 Procedures.

* * * * *

(d) * * *

(3) Clarify that no discussions between artists and other contractors, **[tenant]** client agencies, or community representatives shall be considered as a change to the contract unless incorporated by the contracting officer through a modification;

536.7003-1 Selection criteria.

(a) ***

(4) Overall Approach - brief written statement of an overall approach to the project [, including the extent to which the approach is consistent with the standards publicly announced under 536.7002-2(c)(2)]; and

* * * * *

536.7003-2 Evaluation board.

(a) Art in architecture evaluation board members should collectively have distinct expertise relevant to the project, including knowledge of artwork and its long term care, the architect-engineer design philosophy for the project, the programmatic and functional needs of the Federal **[tenant]** client, and the character of the community in which the project is located.

(b) ***

(c) A maximum of one (1) representative of the **[tenant]** clientorganization(s), at the **[tenant's]** client's option, may participate as a voting member in the activities of the evaluation board.

* * * * *

536.7003-4 Selection authority.

(a) * * * (b) * * *

[(c) If the selection authority does not select a proposal that is consistent with the standards set forth under 536.7002-2(c)(2), the selection authority shall submit a report to the GSA Administrator explaining the reason for the selection despite its noncompliance with these standards.]

* * * * *