ART IN PUBLIC PLACES
PUBLIC ARTIST HANDBOOK

A Guide to the Commission Process

The Art in Public Places program of the Washington State Arts Commission brings artwork directly into communities where people study, work, and gather.
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TIMELINE
Proposal development typically lasts 6-9 months. Within this time frame you have three required meetings with the Art Selection Committee: Artist Site Visit, Preliminary Concept Presentation, and Final Proposal Presentation. Your AIPP Project Manager facilitates these meetings.

PROPOSAL PHASE
Once you have completed the Proposal Contract, you will enter into the Commission Contract. Most Commission Contracts specify that the artwork will be installed within 9 months of Final Proposal acceptance. If the artwork is integrated into new construction, the timeline and contract may be longer.

**KEY**

$ = Payment (after invoice)
ABOUT ART IN PUBLIC PLACES

In 1974, Washington’s Legislature established the Art in Public Places program (AIPP) of the Washington State Arts Commission (ArtsWA). Washington was the second state to establish a percent-for-art program and is still one of only a few states that include public schools as participants.

Funding

The acquisition of artwork for the State Art Collection, its conservation, and AIPP administration are funded by state-funded capital construction projects. When a state agency, K-12 public school, university, or college constructs a public building, $\frac{1}{2}$ of 1% of the state’s portion of the construction costs is set aside to acquire artwork.

Universities and colleges also receive an art allocation for renovation projects exceeding $200,000.

Cappy Thompson, I Imagine Us as a Holy Family Engaging in the Great Work of Increasing the Light (detail), 2006. Vitreous enamel glass with reverse-laminated stained glass, 10’ x 66’. Commissioned by the Washington State Arts Commission in partnership with The Evergreen State College.
About the Collection
Artwork acquired through the percent-for-art allocation becomes part of the State Art Collection, which is the property of the state of Washington. Collection administration is provided by AIPP.

The Collection:
- Is a contemporary collection
- Comprises over 4,600 artworks
- Is sited in colleges, universities, public schools, and state agencies
- Includes 2- and 3-dimensional, free-standing and integrated artworks
- Includes notable local, regional, and national artists

New artworks may not be:
- Deemed too costly or complicated to maintain (e.g., water features)
- Design projects (e.g., mascots, clock towers, or memorials) rather than unique artistic expressions
- Editioned (all artworks should be site-responsive and unique)
- Made of materials not appropriate for the site (e.g., wood in exterior environments.) Please reference the Materials and Fabrication Handbook for more information.

ARTIST ELIGIBILITY
If you accept a project, you become ineligible for new projects with ArtsWA’s AIPP program during the proposal phase and for a period of 2 years starting from the date you sign the Commission Contract. This waiting period gives opportunities to more artists and encourages a diverse collection

OVERVIEW OF COMMISSION PROCESS

This handbook should be used as a guide while navigating the commission process. You will work closely with your AIPP Project Manager throughout the process, especially when questions arise. While hopefully informative, this handbook does not supersede binding contracts or take the place of working with your AIPP Project Manager.

Contracts
Each project is split into two separate contract stages: the Proposal Development Contract and the Contract for Commissioning of Artwork. The Proposal phase typically lasts 6-9 months, culminating in an accepted final artwork design; the Commission phase typically lasts nine months, culminating in an installed artwork.

The partner agency is the state agency or other public entity working with AIPP that generates artwork funds and/or hosts artworks. Your contract is with ArtsWA and the resulting artwork is owned by ArtsWA. You will work closely with the partner agency to develop an artwork proposal under AIPP’s guidance. The resulting artwork should respond to the partner agency’s wishes as well as AIPP’s requirements.

ArtsWA enters into a separate Interagency Agreement with the partner agency that obligates them to provide stewardship for the artworks in the State Art Collection sited at their facilities.

Proposal Contract
During the Proposal phase, you will meet three times with an Art Selection Committee representing the local site (see *Meetings with the Art Selection Committee*, page 12 for more information), consult twice with a conservator (see *Conservation Review Process*, page 14 for more information), and obtain stamped structural engineering (see *Structural Engineering*, page 20 for more information). Your main point of communication throughout the Proposal phase will be your AIPP Project Manager. If the Art Selection Committee and AIPP accept your final proposal, you are awarded the Commission Contract to fabricate and install the artwork.

Commission Contract
During the Commission phase, you will fabricate and install your artwork based on plans approved by the Art Selection Committee and your AIPP Project Manager, and reviewed by a structural engineer and conservator. Your main point of communication for installation of the artwork will be the site facilities manager or a similar contact, but you must always keep your AIPP Project Manager informed.

Some projects may have an addendum obligating the partner agency to assist with installation or prepare the site, depending decisions made during
meetings. If there is an addendum, it is your responsibility to coordinate with the site contact (e.g., general contractor, facilities manager) for the obligations (materials, equipment, services) provided by the partner agency.

**BUDGET**

The artwork budget provided by your AIPP Project Manager is not flexible. Unexpected costs are paid for out of the budget. Therefore, it is very important to build a contingency into your cost estimates.

**Proposal Costs**

You are responsible for expenses incurred during your Proposal Contract including travel for up to three committee meetings and structural engineering.

Tom Otterness, *Farmers and Bankers* from the series *Wild Life* (detail), 2010. Bronze, cast concrete, and stainless steel, 49” x 86” x 66”. Commissioned by the Washington State Arts Commission in partnership with the Department of Corrections and the City of Connell.
Commission Budget
During the Commission Contract, you will be responsible for all aspects of creating and installing the artwork within the artwork budget. Commission Contract costs include but are not limited to:

- Washington State sales tax
- Washington State L&I filing fees (Intent and Affidavit forms)
- General or Specialty Contractor registration (if applicable)
- Labor – artist and artist assistants
- Labor – trade subcontractors at prevailing wages*
- Materials and equipment
- Identification plaque
- Studio overhead costs
- Insurance
- Delivery of artwork to site
- Artist travel costs
- Installation per diem (meals, lodging for artist and crew)
- Installation labor and equipment rental
- Professional, publication-quality photography
- Public event (travel and per diem for dedication, art-making demonstration, etc.)
- Artist fee (your fee not including labor)
- Contingency (e.g., delays, storage, fabrication changes, tax increase)
- Inflation (accounts for increase in costs of goods and services to be purchased more than 12 months following proposal acceptance)

*Prevailing wages may apply to subcontractors providing skilled labor in the trades according to Labor & Industries’ standards and laws (see page 18).
Direct Deposit
Electronic Funds Transfer is the state of Washington’s preferred method of payment. It is also the fastest. To sign up, use the Statewide Vendor Registration form. You may sign up for direct deposit at the time you register as a statewide vendor or at any point during your project.

Payment Distributions
Typically, your proposal development fee will be distributed in 3 payments and your commission payments will be distributed in 4 payments. You can negotiate the Commission Contract’s payment schedule with your AIPP Project Manager. Once the Commission Contract and addendum are signed by all parties the AIPP Program Coordinator will provide you with state of Washington invoice forms. Each payment will have a specific set of deliverables that you will need to turn in before it is approved (photo documentation, certificate of insurance, permit copies, etc.). You can expect payment within 30 days of approval by your AIPP Project Manager.

Public Event
Once the artwork is installed, you are expected to participate in a public event to celebrate the work that you have done, and also to recognize the work of the Art Selection Committee. It can be a dedication ceremony, art-
making demonstration, public lecture, and/or your participation at a staff/faculty in-service training. Typically, the public event requires an additional visit to the artwork site, which you should account for in your project budget.

**Artwork Stewardship**

Your completed artwork will become part of the State Art Collection, which is sited in state-owned facilities across Washington. Stewardship is the shared responsibility of ArtsWA and the partner agency that houses the artwork.

The partner agency is responsible for the routine maintenance of the artwork. Routine maintenance and special maintenance (tasks recurring every 5-20 years) are determined by AIPP using information specified by the artist in the Detailed Artwork Report and by the Conservation Review. The partner agency is required to complete and send an inventory and condition status report to ArtsWA every three years.

ArtsWA is responsible for the conservation of the State Art Collection, contingent upon sufficient funding by the State Legislature. *ArtCare, a Collections Management Framework for Washington State Art Collection*[^2], provides the framework for the ongoing care of the State Art Collection through a comprehensive approach.

[^2]: [http://www.arts.wa.gov/media/dynamic/docs/ArtCare%20-%20Updated%202013-06.pdf](http://www.arts.wa.gov/media/dynamic/docs/ArtCare%20-%20Updated%202013-06.pdf)
If the artwork is damaged during its lifespan, the partner agency should notify AIPP so repairs can be made in accordance with ArtCare. You may be consulted as to the course of action for artwork repairs. Please keep ArtsWA updated with your current contact information.

**REQUIRED MEETINGS**

During the proposal phase, you participate in three meetings with the Art Selection Committee: Artist Site Visit, Preliminary Concept Presentation, and Final Proposal Presentation. Out-of-state artists may teleconference to the last two meetings if approved by your AIPP Project Manager.

During meeting travel, consider extending your stay for research and/or to meet with the architect.

**Meetings with the Art Selection Committee**
The Art Selection Committee is assembled by the partner agency, and is typically made up of 5-7 members representing the agency, site, and local community. By the time you meet with the committee, they have already met 3 times with your AIPP Project Manager, during which they:

- Were oriented to the program
- Developed broad criteria for the future artwork
- Identified target audiences
- Identified potential sites
- Reviewed artist portfolios in the Public Artist Roster
- Developed a short list of 15-25 artists
- Selected a single artist or artist team—you—to develop a proposal

**Meeting 1: Artist Site Visit**
This is your first meeting with the Art Selection Committee, and is meant to be an exchange of information. The meeting includes:

- Your 20-30 minute presentation of past work and discussion of imagery, inspiration, and approach to the commissioning process
- Discussion of Committee perspective, including why you were selected, broad artwork criteria, potential sites, audiences, agency/community culture, hopes for the artwork, and any possible concerns
- Tour of the site for which the artwork is being commissioned
Meeting 2: Preliminary Concept Presentation
Includes a presentation of your concept and location of the artwork. The concept should fit within your projected artwork budget. Presentation materials might include:

- Working drawings or model
- Material and finish suggestions / sample materials
- Location on site plan, floor plan, or elevation

The Committee provides feedback and directs you to proceed with the concept and location, proceed with refinements, or proceed in a different direction. If you are asked to proceed in a different direction, an additional concept presentation meeting with the Committee may be required.

Meeting 3: Final Proposal Presentation
At the Final Proposal Presentation, the Art Selection Committee will accept, accept with refinements, or reject your proposal. In addition to the documentation used for the Conservation Review, your Final Proposal may also include: a budget, model releases and/or copyright permissions, timeline, and public event ideas. Some committees must make a recommendation to their authorizing body before final acceptance can be made.

CONSERVATION REVIEW PROCESS

During the proposal phase of your project, you will have two opportunities to work with a conservator to ensure that your work is able to withstand the public environment: Conservation Consultation and Conservation Review. While the Art Selection Committee will approve your artwork concept and location, your AIPP Project Manager must approve your final materials, protective finishes, fabrication, and installation techniques. Approval is based in part on your Conservation Review.

Materials and Fabrication Handbook

AIPP has developed the *Materials and Fabrication Handbook* as a resource for artists to supplement your personal materials research. It is designed to help you consider long-term maintenance and future conservation issues in the design, fabrication, and installation of your artwork. It also contains requirements that you need to be aware of. It can be found on ArtsWA’s website under Public Art Resources[^3].

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[^3]: http://www.arts.wa.gov/public-art/public-art-resources
Conservation Consultation
The Consultation is an opportunity to consult a conservator in the early stages of your proposal development. It is typically after the Artist Site Visit and before the Preliminary Concept Presentation. ArtsWA identifies and contracts with the conservator. The half-hour to one-hour consultation should be completed at least two weeks before your Preliminary Concept Presentation, and usually takes place over the phone.

One week before the consultation, you should present the following items in writing to your AIPP Project Manager:

- Your concept/s
- Artwork location description and/or site plan or photographs
- Materials under consideration
- General fabrication methods
- Possible protective finishes
- Reversible installation methods
- Artwork budget
- Imagery (drawings, sketches, any visual representation)

Use the meeting to discuss ways to accomplish your idea and how choices, as well as the environmental and social factors at the site, may impact the long and short-term condition of the artwork. The conservator may also be able to help you determine if your concept is feasible within your budget.
Conservation Review
The Review happens between the Preliminary Concept Presentation and the Final Proposal Presentation. Your AIPP Project Manager will again contract with the conservator who will review:

- Appropriateness of materials, material compatibility, finishes, fabrication methods, hardware, and installation methods for the environment
- Reversibility of the artwork’s installation, including the ability to remove components or the entire artwork without causing damage to the artwork and the surrounding environment
- Feasibility of routine maintenance procedures
- Expected lifespan of the work

ArtsWA may ask the conservator to offer alternative solutions if any concerns are raised. The conservator may contact you with questions about your proposal. The conservator is not in a position to assess risk tolerance, so you are urged to work with your AIPP Project Manager to address potential risks with the partner agency’s risk manager.

**Conservation Review Documents**

You will be required to provide descriptive text and draft technical drawings for the Conservation Review. At least one month prior to the Final Proposal Presentation, you should deliver comprehensive proposal documentation to your AIPP Project Manager:

- Written description of concept and imagery
- Location of artwork on site/floor plan or photograph
- Written description of the materials and finishes of each material under consideration
- Scale renderings or maquette of artwork, labeled with dimensions, materials, and hardware. For 3-D artwork:
  - Provide a minimum of 3 scale renderings of various views with materials, dimensions, and hardware labeled or
  - Maquette and a schematic drawing that shows specific materials, dimensions, and hardware
- Technical drawing showing component parts of the artwork and their attachment points, include hardware
- Material samples and material data sheets where applicable
- Technical installation drawing showing anchoring system to foundation, footing, and/or attachment point, include hardware
- Technical drawing showing foundation and/or footing
- Plaque materials, location, and dimensions
- Anticipated routine maintenance (occurring at less than 5 year intervals)
- Anticipated special maintenance (occurring every 5-20 years)
- Artwork life expectancy
- Indicate whether the work will be fabricated by the artist, a fabricator, or a combination (if a combination, specify who will fabricate what)
Based on the information listed above, the conservator will anticipate the future condition of your proposed artwork as “poor”, “fair”, “good”, or “excellent” for the short-term (0-5 years), mid-term (5-15 years), and long-term (15-30 years) lifespan of the work. In most cases, the artwork should be rated “good” or “excellent” before moving onto the fabrication stage. The conservator may also recommend changes during the Conservation Review. Recommended changes should be discussed with your AIPP Project Manager, and are negotiable depending on the specific circumstances of your project.

**ARTIST PAPERWORK AND DELIVERABLES**
The items in this section are required deliverables as part of your Proposal or Commission Contracts. Failure to have the necessary paperwork in place may delay or prevent payment.

**Prevailing Wages and Contractor Registration**
Because your project is a Public Works contract, you are required to pay prevailing wages where applicable. During the Commission Contract, you will need to submit two forms to the WA State Department of Labor and Industries (L&I). The first is the Statement of Intent to Pay Prevailing Wages, and must be submitted before any work is started. The second is the Affidavit of Wages Paid and must be submitted after all work is completed. Each form has a $40 filing fee, and must be filled out whether or not your project requires paying any prevailing wages, although the $40 fee for the second form will be waived if your project does not require payment of prevailing wages. You can locate prevailing wage forms[^4] and find information on current prevailing wage rates[^5] in localities throughout the state on L&I’s website.

Although AIPP Project Managers are familiar with the forms and can answer basic questions, L&I’s prevailing wages representatives are the experts and should be your primary resource for information (1-855-545-8163). You may be required to register with L&I as a general or specialty contractor if your installation will cause permanent alterations to the site or if you are sub-contracting trade work. ArtsWA recommends calling L&I as soon as you understand the details of your artwork installation in order to determine the easiest path to compliance.

Whenever discussing your project with L&I, it is important that they understand that you are an artist creating an artwork. They are primarily concerned with permanent alterations occurring during installation on the site, not necessarily with how the work is being created in your studio or with a fabricator, which in most cases is considered specialized arts related work and not trade work. You can familiarize yourself with their requirements by visiting their Prevailing Wage\(^6\) and Contractor Registration\(^7\) information online and/or by reviewing the publication Construction Contractors: Get the Facts, Get Registered\(^8\). Your liability insurance provider will be able to estimate any costs associated with obtaining a surety bond, if one is required.

Registering as a general contractor allows you to perform any trade work necessary on the project, except plumbing and electrical, and/or sub-contract for all trade work, including electrical and plumbing. However, if it is clear that you will not need this level of authority, registering as a specialty contractor allows you to perform trade work in one specialty, and/or sub-contract for services within your specialty.

\(^6\) http://www.lni.wa.gov/TradesLicensing/PrevWage/IntentAffidavits/
\(^7\) http://www.lni.wa.gov/TradesLicensing/Contractors/HowReg/
If you are only performing arts-related work such as offsite artwork fabrication or non-permanent art installation activities, it is possible that you can submit your prevailing wage forms as a “non-contractor”. However, as a “non-contractor” you are prohibited from performing any trade work onsite and/or sub-contracting for trade work.

**Structural Engineering**
In most cases, final acceptance of your proposal is contingent on stamped structural engineering from a licensed Washington State structural engineer.

Stamped structural engineering provides for structural safety and transfers liability to the engineer when specifications are followed. Engineers may be called to provide specifications for an evaluation of seismic activity, wind load, live load, etc. Three distinct reviews may be required: structural integrity of the artwork; attachments of the artwork to the base/footings, wall, or beam; and structural integrity of the mounting structure (footing, wall, beam, etc.).

Once obtained, structural engineering documents must be either followed exactly or updated to reflect changes. Engineering included in your final paperwork must be “as-built.”

**Insurance**
You are responsible for insuring your artwork during fabrication, storage, transport, and installation. Coverage should be at the amount of the Commission Contract.

You are also required to carry general liability insurance for installation that names ArtsWA and the installation site agency as co-insured. Refer to your
Commission Contract for coverage details. A certificate of insurance must be on file with ArtsWA and the installation site agency in advance of the artwork installation. It is recommended that you maintain general liability coverage for the duration of the artwork’s warranty period.

**Permits and Surveys**
In all cases, artwork design, fabrication, and installation must comply with local/state/federal health and safety and building codes. You are responsible for understanding and adhering to safety code as well as obtaining work permits.

For instance, if electricity is hardwired into the artwork, an electrical permit is required; if an artwork is placed in an exterior setting, a geological survey may be required. Shoreline permits are typically required when artworks are sited near natural and manmade water sources. Allow adequate time to secure permits or conduct surveys.

**Copyright Permissions**
You must obtain written permission for any copyrighted material used in your artwork prior to final proposal approval. This original documentation will become part of the artwork’s permanent file.

**Model Releases**
When a recognizable likeness of a living person is a part of your artwork, you must provide your AIPP Project Manager with an original, signed release of the model. In the case of a minor, the release must be signed by a parent or legal guardian. Releases will become a part of the artwork’s permanent record. Forms are available through the AIPP program.
**Identification Plaque**
You are responsible for fabricating and installing an identification plaque based on the text and layout standards provided below. You determine the plaque size, font, and interpretive text appropriate to the artwork. Your AIPP Project Manager approves the final plaque text when the artwork is 50% complete in studio. The location of the plaque should consider the ADA (see page 26), be in the artwork vicinity, and be agreed upon by the partner agency. The plaque must be installed at the same time as the artwork.

**ArtsWA Template:**

<table>
<thead>
<tr>
<th><strong>Artwork Title</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Artist Name, Year Installed</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Primary mediums</strong> (example: Copper, steel, and enamel)</td>
<td></td>
</tr>
</tbody>
</table>

Washington State Arts Commission in partnership with Partner Agency Name

State Art Collection, **Accession Number** (example: WSAC1997.073.00A-G)

**Artist Statement** (1-3 sentences to provoke artwork-related inquiry)

NOTE: **Bold** words should be replaced with artwork-specific text.

**Examples:**

![Example Plaque 1](image1)

**Understory**
Carol May and Tim Watkins
2014
Stainless steel and aluminum
Washington State Arts Commission
in partnership with White Pass School District
State Art Collection, WSAC2013.055.000

The imagery is inspired by the monumental landscape and the dense undergrowth of the forest floor. It is a playful magnification of the delicate fiddlehead ferns and hidden chantelettes that grow below the massive trees.

![Example Plaque 2](image2)

**Clover Creek: A Bug’s Eye View**
Jean Bradbury, 2015
Oil on canvas

Washington State Arts Commission
in partnership with the Bethel School District
State Art Collection, WSAC2013.011.001

Imagine that you are very small - smaller than a snail. You are hiding safely under the shady plants on the shore of Clover Creek and looking up toward the sunshine. The date is today, or five hundred years ago. All the plants and animals are native to Clover Creek.
Professional Photography
Upon installation, you are required to submit professional photographic documentation so that AIPP has a visual record of your artwork for asset management, collection care, and public information and education. We are much more likely to use your artwork in promotional materials if the photographs are professional and publication quality. Final photos should be thoughtfully lit, well-composed, descriptive of the artwork, showing the surrounding context, and free of construction materials/equipment.

Technical standards for final photographs:
• TIFF format (if your camera does not shoot in TIFF, you may shoot in RAW then convert to TIFF; JPGs may not be converted to TIFFs)
  • 300 pixels per inch minimum
  • 10 inches minimum on the short side
  • 12 megapixels minimum

Final photographs must include:
• The entire artwork in situ
• Each component of the artwork
• Photograph(s) showing location of installed plaque and its full text

We welcome final photographs that include:
• Details of texture, imagery, colors, etc.
• Public interaction with the artwork

Besides the final photographs, we also require step-by-step fabrication and installation photographs for future conservation and reference. We do not have technical standards for these reference images. AIPP welcomes updated photography, especially for exterior works when the landscape matures as you have envisioned.
Remember to send us the name of your photographer for credit and the names of any people appearing in your photos, to help identify for future publication.

**ARTIST INDEPENDENT RESPONSIBILITIES**

In addition to required meetings, consultations, and paperwork that are built into your payment and deliverables schedule, you are responsible for several items before and after your artwork is installed, including those outlined below.

**Vendor Registration**
To do business in the state of Washington you must be registered as a statewide vendor. If you are not already registered, please visit the [Department of Enterprise Services](http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx) website for more information.

**Business License**
You are also required to have a Washington State Business License, with which you will be assigned a Unified Business Identifier number (UBI). For more information please visit the [Department of Revenue’s Business Licensing Service](http://bls.dor.wa.gov/file.aspx) website.

Failure to have the correct licenses in place may delay or prevent payment.

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9 [http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx](http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx)
Warranty
Your Commission Contract will specify two types of warranty. Warranty of title assures that the work is unique and does not infringe on any copyright. Warranty against defects guarantees that you have followed your structural engineering and the work is free from defective materials, faulty fabrication and installation techniques. Should the artwork fail within the warranty period, you will be contractually obligated to remedy the problem at no additional compensation. The standard warranty period is two years from ArtsWA acceptance and may be extended based on materials and complexity. You should work with your primary subcontractors to ensure that they will also warranty their work for the same period, or you could be obliged to repair their work at your own cost.

Taxes
State sales tax is not applied to the Proposal Contract fee. An IRS 1099 form will be mailed in January of the year following year of your proposal contract initiation.

Washington State sales tax is included in the total Commission Contact amount. Occasionally tax rates change during the contract period and are your responsibility. For current tax rates refer to the Department of Revenue\(^\text{11}\) website.

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\(^{11}\) [http://dor.wa.gov/content/findtaxesandrates/](http://dor.wa.gov/content/findtaxesandrates/)
**ADA Accessibility**
When designing an artwork and selecting an artwork location, you should consider the Americans with Disabilities Act (ADA). The law addresses providing people with disabilities a meaningful opportunity to participate in and benefit from services and programs, and doing so in the most integrated way possible.

When designing the identification plaque, you should consider font size and style to achieve readability. Plaque location should consider audience members in wheel chairs and/or with limited sight. For more information about accessibility, visit the [ADA](http://www.ada.gov/) website.

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KEEP IN MIND

Please keep in mind the following items as you are working on your project, and contact your AIPP Project Manager if you have any questions.

Expected Lifespan
The typical expected lifespan of artworks in the State Art Collection is 30 years. Artworks should be durable and made to be a lasting part of the site under changing conditions. However, some artworks will have a shorter expected lifespan because of materials, media, installation and fabrication techniques, or other variables.

If you think your artwork may have an expected lifespan of less than 30 years, talk to your AIPP Project Manager about developing a maintenance plan and establishing clear expectations for the life of the artwork with ArtsWA and the Art Selection Committee.

Resale Certificate
You can obtain a resale certificate. When you provide vendors located in Washington with the resale certificate, sales tax is typically not charged on materials and services.

Find resale certificate information online or contact 1-800-647-7706.

13 http://dor.wa.gov/Content/FindTaxesAndRates/RetailSalesTax/ResellerPermit/default.aspx
LEED
The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is a third-party certification program and the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. Washington State is committed to constructing LEED certified buildings. Many committees will ask you to consider this when designing and lighting your artwork.

Lighting
Lighting should include durable fixtures that utilize long life, energy efficient lamps. Easy access to the fixtures, transformers, and lamps is important to assure that fixtures can be replaced if they fail or become obsolete and lamps can be traded out as required. Lighting elements can be your responsibility or, should they agree, the responsibility of the partner agency.

When lighting an exterior artwork, “down” lighting is preferred in consideration of the night sky. Many LEED projects have down lighting as a requirement of their certification. Up-lighting should be carefully considered in consultation with the partner agency.

Your Copyrights
You retain rights under copyright law to which the artwork, preliminary studies, drawings, specifications, and models may be subject. The Visual Artist Rights Act (VARA), which is part of copyright law, is addressed in your Commission Contract.
**Graphic Reproductions**
ArtsWA and the partner agency may make and use graphic reproductions of the artwork, including artist-provided two-dimensional graphic reproductions for non-commercial purposes. This includes, but is not limited to, reproductions used in brochures, media publicity, and exhibition catalogues or similar publications provided that these rights are exercised in a tasteful and professional manner. If either ArtsWA or the partner agency wishes to make reproductions for commercial purposes, they will need to execute a separate agreement with you.

Reproductions by you and ArtsWA should contain a credit line that includes your name, artwork title, date, credit line (“Washington State Arts Commission in partnership with [partner agency]”), and photography credit.

ArtsWA and the partner agency are not responsible for any third party infringement of your copyright and are not responsible for protecting your intellectual property rights. It is understood that the artwork may be photographed by the public. Refer to the Commission Contract for more detailed information.

**My Public Art Portal**
Your artwork will be added to My Public Art Portal, a growing, dynamic, online database of artworks in the State Art Collection. The Portal includes State Art Collection works and related maps, images, and context about these vital publicly-owned state assets. A valuable teaching tool and educational resource, My Public Art Portal can be accessed through ArtsWA’s website: [www.arts.wa.gov](http://www.arts.wa.gov).
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