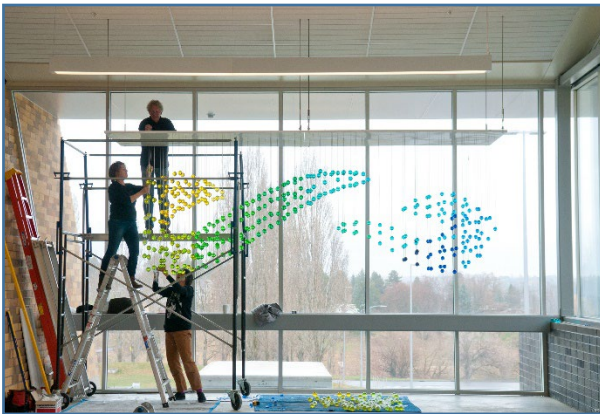
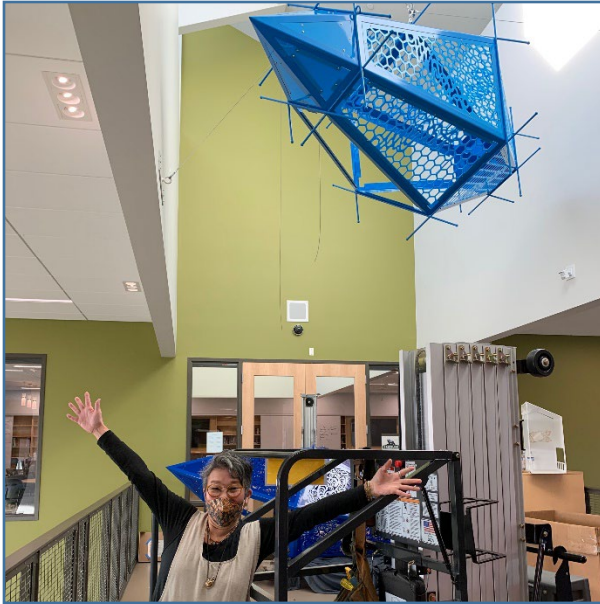




arts.wa.gov

Art in Public Places | Public Artist Handbook

A guide to the commission process



Art in Public Places brings artworks into places where people study, work, and gather

Clockwise from bottom left: Etsuko Ichikawa installs *Floating Colors*, 2018 at Pullman High in Pullman, WA. June Sekiguchi installs *Glacial Crystals*, 2022 at Glacier Middle School in Buckley, WA. Students at Orchard Elementary in Richland, WA engage with *Solar Portals*, 2021 by Michael Brown and David Cole. Daniel Galvez paints his mural *Legacy*, 2017 for White Pass Junior-Senior High in Randle, WA.

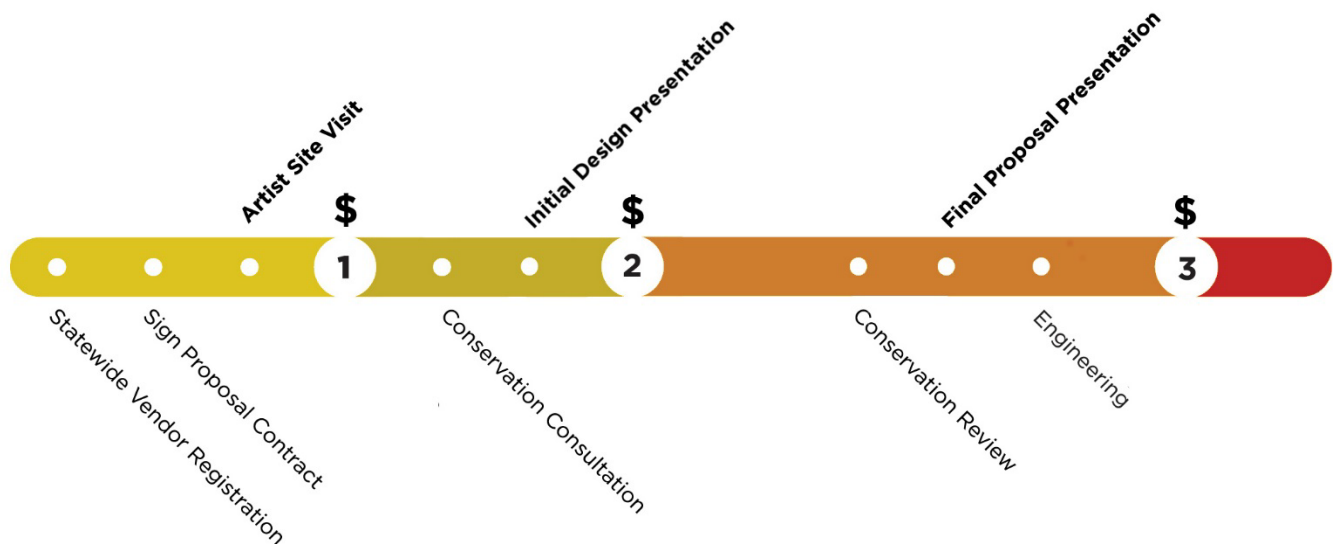
Process at a glance

Use this handbook to help guide you through our commission process. Your Art in Public Places (AIPP) project manager should always be your main resource for information and guidance.

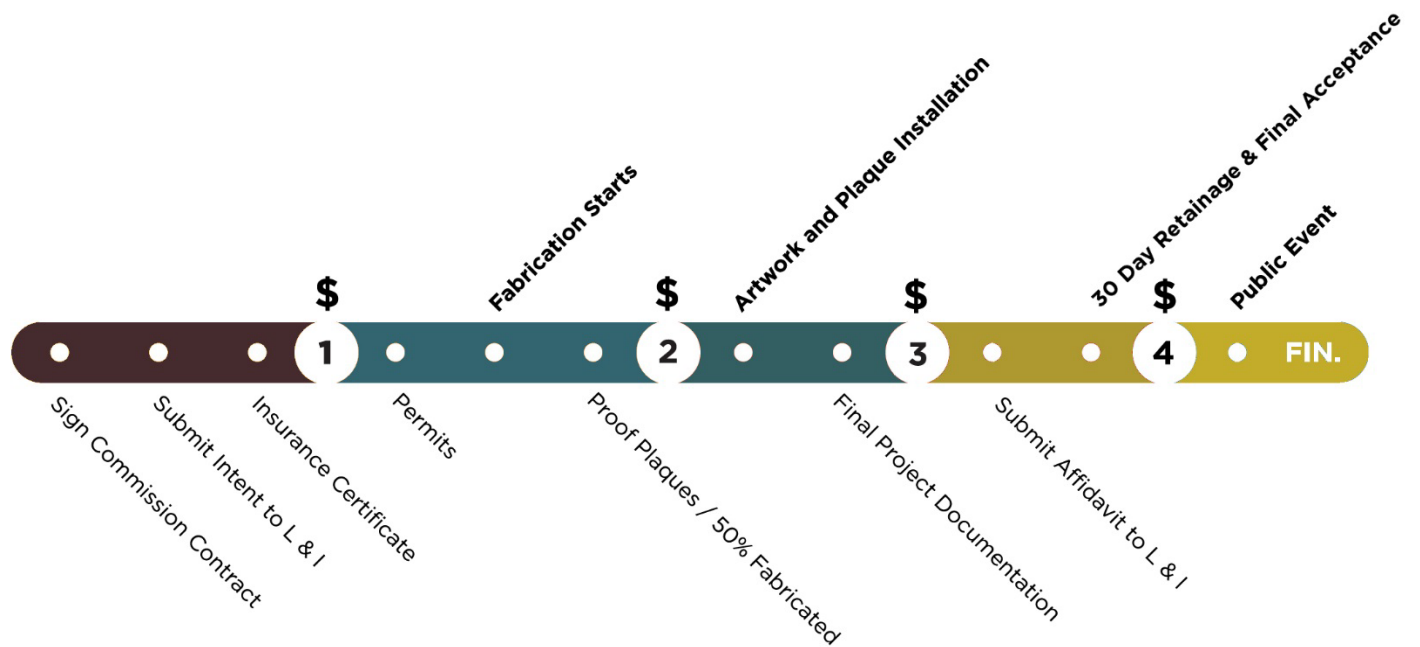
Please reach out when questions arise.

You'll have two contracts:

- Proposal contract: for your design (6-12 months)
- Commission contract: for fabrication and installation (9-14 months)



PROPOSAL CONTRACT



KEY

\$ = Payment (after invoice)

COMMISSION CONTRACT

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Proposal contract steps

Once you meet with the local art selection committee, they have already met several times with your AIPP project manager to:

- learn about AIPP and our commission process
- set goals for the artwork
- identify possible artwork locations
- review portfolios on our Public Artist Roster
- choose you for their project

Proposal expenses, invoices, and payment

You are responsible for your proposal expenses. This includes travel for up to three committee meetings and stamped, structural engineering. The proposal contract is in effect once you and our executive director sign it. We pay your proposal fee in three payments. The AIPP program coordinator will send you state of Washington invoice vouchers for each stage. You must turn in the stated deliverables for each payment stage before your AIPP project manager can approve the invoice. Expect payment within 30 days of approval.



WSU Spokane chose Christie Tirado to create artwork for their campus. She held a printmaking workshop with the WSU community to inform her artwork design.

Step 1: Paperwork, site visit, and research

Complete your paperwork

Before you begin work, complete the following paperwork. We can't pay you until you have the correct licenses.

Vendor registration

To receive payments from the state, you must register as a statewide vendor. The AIPP program coordinator provides the paperwork. Visit the [Office of Financial Management](#) to learn more.

Business license

You need to have a Washington State Business License, with a Unified Business Identifier number (UBI). Visit [Department of Revenue's Business Licensing Service](#) to learn more.

Direct deposit

Electronic Funds Transfer (EFT) is our preferred and fastest method of payment. To enroll, use the Statewide Vendor Registration form that our AIPP program coordinator e-mails you. You can sign up for direct deposit at any point during your project.

Review the Materials and Fabrication Handbook

Read our [Materials and Fabrication Handbook](#) and our [Paintings Guide](#). They contain requirements that you must follow. They advise on long-term maintenance and future conservation issues in the design, fabrication, and installation of your artwork.

Attend the site visit meeting

This is your first meeting with the art selection committee. It is mostly an exchange of information. The meeting includes:

- your 20-30 minute presentation of past work, including images and your inspiration and approach to the public art process
- discussion of the committee's perspective, including why you were selected, broad artwork goals, potential sites, audiences, agency/community culture, hopes for the artwork, and any possible concerns
- a tour of the site (could be virtual if site construction is not complete)

Things to consider as you research ideas

Accessibility

Consider the Americans with Disabilities Act (ADA) in your design and choice of location. Make sure all people have a meaningful opportunity to engage and benefit from your artwork design.

For more information about accessibility, visit the [ADA](#) website.

Eco-friendly artwork

The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is a third-party certification program. It sets the national benchmark for the design, construction, and operation of high-performance green buildings. Washington state is committed to constructing LEED certified buildings. Consider this when designing and lighting your artwork.

Lighting

If you plan to have a lighting element, use durable fixtures that use long-lasting, energy efficient lamps. Easy access is important. We need to be able to replace fixtures if they fail or become outdated. We need to trade out lamps as needed. Lighting elements can be your responsibility or, if they agree, the responsibility of the partner agency.

When lighting an exterior artwork, partner agencies may prefer down-lighting in consideration of the night sky. Discuss up-lighting with the partner agency.

Proposal payment 1 deliverables checklist

- ☐ Completed vendor paperwork
- ☐ Received WA State Business License
- ☐ Completed site visit meeting and research
- ☐ PAYMENT 1: invoice voucher sent

Step 2: Initial design

Initial design and conservation consultation checklist

At least **4 weeks** before your second committee meeting, send your project manager a draft of your initial design. Include as much as you can from the checklist below, early enough to resolve any concerns before the meeting. You can continue to work on your design after you've sent this first draft to us. We do not share your draft with the art selection committee.

- ☐ Describe the artwork (what inspired the design? what are you hoping to communicate?)
- ☐ Provide imagery (drawings, sketches, any visual representation)
- ☐ Show the artwork location (photos, drawings, or written description)
- ☐ List the materials you are considering (including protective finishes, if any)
- ☐ Describe how it will be made
- ☐ Consider how it will be installed, and how it can be removed
- ☐ Include a rough artwork budget (the design must fit within the artwork budget)

Participate in the conservation consultation

This consultation is a chance to talk with a conservator in the early stages of your design. We choose and hire the conservator. Expect a 30–60-minute phone call. Talk about the material choices you are considering, fabrication plans, and location. Think of natural things that could affect the work (like harsh weather, direct sunlight, or dust), and public contact (could it be touched, climbed, or vandalized?). The conservator is there to help you create the artwork you want to make, not set up hurdles.

Attend the initial design meeting

Present your initial design. In addition to the checklist above, your presentation might include:

- the artwork's inspiration
- scale drawings or a 3-D model
- material samples

Proposal payment 2 deliverables checklist

- ☐ Sent initial design documents to AIPP project manager
- ☐ Discussed design with conservator during conservation consultation
- ☐ Initial design presented to local art selection committee
- ☐ PAYMENT 2: invoice voucher sent

Step 3: Final design approval

Prepare your final proposal draft for conservation review

Before the final proposal presentation happens, the conservator reviews:

- appropriateness of materials, finishes, fabrication methods, hardware, and installation methods for its location
- how the artwork can be de-installed (including removing or replacing components) without causing damage to the artwork or the area around it
- the needs for regular and long-term care
- the expected lifespan of the work

The conservator may offer solutions if there are concerns. The conservator may contact you with questions. The conservator is not in a position weigh in on risk factors. If there are concerns, we may need approval from the partner agency's risk manager.



North Seattle College's art selection committee views Chris Bruch's scale model during his initial design presentation. Bruch installed the finished artwork, *Drift*, in 2016.

Conservation review checklist

Provide the following **at least 6 weeks** before your final design meeting:

- ☐ Description of concept and imagery
- ☐ Location of artwork on site/floor plan or photograph
- ☐ Detailed description of materials and finishes
- ☐ Scale renderings or digital 3-D model of artwork, labeled dimensions, materials, and hardware (for 3-D artwork, show a minimum of 3 scale renderings of various views)
- ☐ Technical drawing(s) showing component parts of the artwork and their attachment points, including hardware
- ☐ Material data sheets, where applicable
- ☐ Technical installation drawing showing anchoring system, including hardware
- ☐ Technical drawing of foundation and/or footing
- ☐ Identification plaque materials, location, and size (see template on pg. 25)
- ☐ Routine maintenance needs (occurring at less than 5-year intervals)
- ☐ Special maintenance needs (occurring every 5-20 years)
- ☐ Artwork life expectancy
- ☐ Explain if the artwork will be fabricated by you, a fabricator, or a combination (if a combination, specify who will fabricate what)

The conservator rates 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. We are looking for “good” or “excellent” in all three categories. The conservator may also suggest changes. Before making changes, discuss them with your AIPP project manager. Changes are negotiable depending on the circumstances.

Complete your final design proposal document

Before the final design meeting, update your final proposal document with resulting changes from the conservation review. Also, add a timeline and budget. Send this to your AIPP project manager.

Timeline: Describe fabrication and installation milestones. It's best to list durations (3 weeks, 4 months, etc.) rather than specific dates. Keep in mind it can take several weeks to receive a commission contract after your final proposal approval.

Budget breakdown: See the checklist below for help with what to include.

- Mobilization/purchase of materials
- Fabrication start
- 50% fabrication complete
- 100% fabrication complete (not yet delivered to the site)
- Artwork delivered and installed
- Dedication or other public event



Melissa Singh Cole held a mosaic workshop for students at Tapteal Elementary in Richland. They made flowers and bees that the artist used in the artwork *Tapteal Journey*, 2021.

Budget checklist: fabrication and installation

You must create and install the artwork within budget. We can't add funds. Include a budget breakdown of these expenses:

- ☐ State and local sales tax
- ☐ Labor & Industries filing fees, if required (Intent and Affidavit forms, see [pg. 12](#))
- ☐ General or specialty contractor registration, if required (see [pg. 12](#))
- ☐ Your artist fee (not including labor)
- ☐ Your labor (including assistants)
- ☐ Labor for subcontractors at prevailing wages*
- ☐ Materials and equipment
- ☐ Identification plaque
- ☐ Portion of studio costs during project, if applicable
- ☐ Insurance (for liability and for loss of the artwork)
- ☐ Delivery of artwork to site
- ☐ Your travel costs
- ☐ Travel and meals for the installation
- ☐ Installation labor and equipment rental
- ☐ Dedication or other public event (travel, meals, materials, etc.)
- ☐ Contingency (for unexpected costs or increases)
- ☐ Inflation (especially if your fabrication and installation timeline is longer than 1 year)

* Prevailing wages may apply to subcontractors providing skilled labor in the trades according to Labor & Industries' standards and laws (see [pg. 12.](#))

Present your final proposal at the final design meeting

At the final design meeting, the committee votes on whether to accept your proposal. You should cover what you prepared for the conservation review in your final design presentation. You may also show more imagery or a 3-D model, material samples, model releases and/or copyright permissions. Also, be prepared to discuss public event ideas. Some committees must make a recommendation to their authorizing body before they can grant their final acceptance.

Complete your structural engineering



An example of
the required
stamp

Design approval is contingent on stamped structural engineering from a structural engineer licensed in Washington state. Their stamp ensures safety and transfers liability to the engineer when you follow their specifications. They should provide 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
- Structural integrity of the mounting structure (footing, wall, beam, etc.)

Either you must follow your engineering documents exactly or your engineer must update the documents to reflect changes. Engineering included in your final paperwork at project completion must be “as-built”.

Obtain copyright permissions (if required)

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

Proposal payment 3 deliverables checklist

- ☐ Conservation review documents sent
- ☐ Final proposal presented to local art selection committee
- ☐ Stamped engineering obtained
- ☐ Comprehensive final proposal document sent
- ☐ PAYMENT 3: invoice voucher sent

Proposal Payment Deliverables Recap

Proposal payment 1

- ☐ Completed vendor paperwork
- ☐ Received WA State Business License
- ☐ Completed site visit meeting and research
- ☐ PAYMENT 1: invoice voucher sent

Proposal payment 2

- ☐ Sent initial design documents to AIPP project manager
- ☐ Discussed design with conservator during conservation consultation
- ☐ Initial design presented to local art selection committee
- ☐ PAYMENT 2: invoice voucher sent

Proposal payment 3

- ☐ Conservation review documents sent
- ☐ Final proposal presented to local art selection committee
- ☐ Stamped engineering obtained
- ☐ Comprehensive final proposal document sent
- ☐ PAYMENT 3: invoice voucher sent

Commission contract steps and checklist

During the commission contract, you fabricate and install your artwork following your approved final design and stamped structural engineering. Your primary contact for installation is the site facilities manager or a similar person. Always keep your AIPP project manager informed.

Your commission contract may have an addendum obligating the partner agency to aid with installation or prepare the site. If there is an addendum, it is your responsibility to coordinate with the site for those obligations (materials, equipment, services). We can help if you meet challenges.

Payment schedule

Usually, our commission contracts have four payments. Depending on the circumstances, you may negotiate the payment schedule with your AIPP project manager. Please carefully review your contract and note your payment deliverables. Once all parties sign the commission contract and addendum, the AIPP program coordinator gives you state of Washington invoice vouchers. You need to give each payment's deliverables to your AIPP Project Manager before we can approve your payment (photo documentation, certificate of insurance, plaque text, etc.). You can expect payment within 30 days of approval.



Tyson Simmons and Keith Stevenson of the Muckleshoot Indian Tribe artist team, stand below *People of the Plateau*, 2022 with Sui-Lan Hookano at Enumclaw Highschool.

Step 1: Get your paperwork and insurance in order

Labor & Industries: contractor registration and prevailing wages

Your project is a public works contract. If you or someone you hire plans to make permanent alterations at the installation site, you must register as a specialty or general contractor.

Examples include pouring a concrete foundation, electrical work, welding, and drilling into a wall.

Call L&I as soon as you know the details of your installation to find out if you need to register.

General and specialty contractors need a surety bond to register. Your liability insurance provider can estimate this cost. Learn more by visiting their [Contractor Registration](#) page.

You must also pay prevailing wages to those performing this work, when applicable, and **submit** two forms to the state Department of Labor and Industries (L&I):

1. **Statement of Intent to Pay Prevailing Wages:** this must be approved by L&I before you can receive your first commission contract payment.
2. **Affidavit of Wages Paid:** you submit this after installation. It must be approved by L&I for you to receive your final commission contract payment.

Each form has a \$40 filing fee. You must fill them out **whether or not your project requires paying any prevailing wages**. If not, L&I waives the fee for the second form. Visit [L&I's website](#) to locate prevailing wage forms, to find information on current prevailing wage rates throughout the state, and for general prevailing wage information.

Although your AIPP project manager is familiar with the forms and can answer basic questions, L&I's prevailing wage representatives are the experts and should be your primary resource for information (tel: 855-545-8163). They can help determine whether you need to file the Intent and Affidavit forms.

In most cases, L&I considers fabrication to be specialized arts-related work that is not subject to prevailing wage as trade work. They are mostly concerned with activities at the installation site and not necessarily the off-site work of creating the artwork.

Insurance

You are responsible for insuring your artwork during fabrication, storage, delivery, and installation. Coverage should be at the amount of the commission contract.

You also need general liability insurance that names ArtsWA and the partner agency as additional insureds. Refer to your commission contract for coverage details. We need your

certificates of insurance before we can pay you. We recommend that you maintain general liability coverage for the duration of the artwork's warranty period, which is usually two years.

Permits and surveys

Your artwork and its installation must comply with local/state/federal health, safety, and building codes. It is your responsibility to understand and adhere to these. Examples include electrical permits, shoreline surveys, and signage allowances, depending on the artwork's design and planned location. Although your partner agency may work with the local code enforcer on your behalf and help with paperwork, this is not always the case. It is best to start the conversation about requirements early in the design process. Allow adequate time for research and permitting.

Commission payment 1 deliverables checklist

- ☐ L&I Intent to Pay Prevailing Wages form approved, if required
- ☐ Insurance certificates listing ArtsWA and partner agency sent
- ☐ Budget and timeline updated and sent
- ☐ PAYMENT 1: invoice voucher sent

Step 2: Document fabrication progress and draft plaque text

Fabrication progress photographs

We need in-process photographs of your artwork:

- to review for future maintenance or conservation
- as proof for payment on your contract
- for education and public information

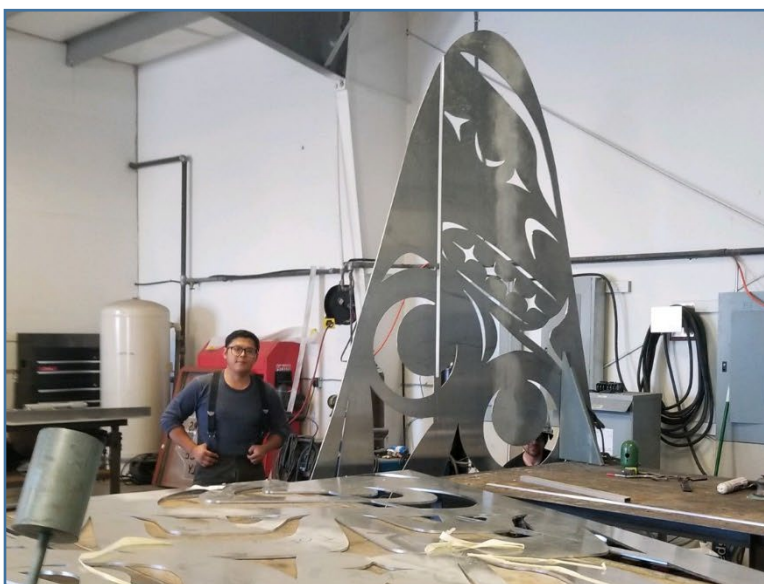
Take photos at each major fabrication step to show the story of how you made the artwork.

Once you're halfway through fabrication, send the best images to your AIPP project manager.

We have limited storage, so please share photos that show important steps in fabrication and avoid sending near-duplicates of the same image. If the artwork is 3-D, please capture 2 or 3 different viewpoints.

Image specifications


- 300 pixels per inch and at least 5 inches wide on the smaller side
- JPEG format
- 10-30 images for each stage (fabrication/installation) is usually enough depending on the complexity of your project
- Separate image files (do not put into a PDF or DOC)
- Label each file name with stage (like "50-percent" or "stainless components")
- Include the name of the photographer, if not you



Artist James Madison poses in his studio during fabrication of his piece *Family*, 2021 for Edmonds College.

Plaque requirements

You must install a plaque when you install the artwork. Please follow the template below. (Your project manager can send you the logo file.) If you wish to design your own plaque using different materials or template reach out to your project manager. Send a draft to your AIPP project manager halfway through fabrication. For the design and location, consider readability and people in wheelchairs or with limited sight. It should be near the artwork and agreed upon by the partner agency.

Artist Name	
Artwork Title, Year Installed	
Artwork media	
<hr/>	
(Artist statement: 1-3 sentences about your work) dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat.	
<hr/>	
Local community members selected this artwork through a process managed by the Washington State Arts Commission in partnership with [insert partner agency name] . State Art Collection [insert Accession#]	

Commission payment 2 deliverables checklist

- ☐ 50% fabrication progress photos sent
- ☐ Draft of your plaque text and layout sent
- ☐ PAYMENT 2: invoice voucher sent

Step 3: Installation and final documentation

Installation photographs

As you documented your fabrication progress, likewise, document the installation. We use these images for collection care, public information, and education. Photos should show:

- each main installation interval or step
- the entire artwork, including its surrounding site
- every section or component of the artwork
- the location of the installed plaque
- a close-up of the plaque with visible text

Image specifications are the same as for your fabrication process photos (see “Step 2: document your fabrication progress and draft plaque text” on [pg. 15](#))

Photography for publications

AIPP hires professional photographers to take publication-quality images. We'll share them with you upon request. Please credit ArtsWA and the photographer if you use them. If you have photography skills and choose to take your own photos, or if you hire your own photographer, please share your images with us. Don't include identifiable persons under age 18 without release forms in publications.

Detailed Artwork Report

We provide you with the Detailed Artwork Report form. Enter technical information about the artwork, how you made it, and the ideas behind it. We use this form for future maintenance, conservation, and education.

Current Resume

Please send a pdf or doc of your current artist resume.

Commission payment 3 deliverables checklist

- ☐ Artwork and plaque installed
- ☐ Installation and fabrication images sent
- ☐ Current resume sent
- ☐ Detailed Artwork Report completed and sent
- ☐ PAYMENT 3: invoice voucher sent

Step 4: Project close

Affidavit of Wages Paid

If you submitted an Intent to Pay Prevailing Wages form at the beginning of the project, you must submit an Affidavit of Wages Paid to the Washington state Department of Labor and Industries (L&I) after installation. The information in the Affidavit should be consistent with your Intent form. If anything changed over the course of the project (you needed to hire an electrician, for example, when you hadn't planned to), contact L&I before you submit. They may require you to re-submit your Intent form.

30-day retainage

After you've installed your artwork and plaque, there is a 30-day retainage period. This assures us that you properly installed your artwork and that you've resolved any potential disputes with your subcontractors.

Final acceptance

We must confirm that you fabricated and installed the artwork as described in your proposal materials and contract. Please send installation photos and the Detailed Artwork Report as soon as possible for our review.

Dedication or public event

The partner agency usually holds an event to celebrate the artwork. This might be a dedication ceremony, an art-making demonstration, or a public lecture. This is also a time to recognize the work of the art selection committee. The format and details are up to you and the partner agency but please discuss them with your AIPP project manager who will likely attend. Make sure to include your travel costs for the event in your project budget.

Commission payment 4 deliverables checklist

- ☐ L&I Affidavit of Wages Paid form approved, if required
- ☐ 30-day retainage period has passed
- ☐ Final acceptance by AIPP project manager
- ☐ FINAL PAYMENT: invoice voucher sent

Commission Payment Deliverables Recap

Commission payment 1 checklist

- ☐ L&I Intent to Pay Prevailing Wages form approved, if required
- ☐ Insurance certificates listing ArtsWA and partner agency sent
- ☐ Budget and timeline updated and sent
- ☐ PAYMENT 1: invoice voucher sent

Commission payment 2 checklist

- ☐ 50% fabrication progress photos sent
- ☐ Draft of your plaque text and layout sent
- ☐ PAYMENT 2: invoice voucher sent

Commission payment 3 checklist

- ☐ Artwork and plaque installed
- ☐ Installation and fabrication images sent
- ☐ Current resume sent
- ☐ Detailed Artwork Report completed and sent
- ☐ PAYMENT 3: invoice voucher sent

Final payment checklist

- ☐ L&I Affidavit of Wages Paid form approved, if required
- ☐ 30-day retainage period has passed
- ☐ Final acceptance by AIPP project manager
- ☐ FINAL PAYMENT: invoice voucher sent

What's next

My Public Art Portal

We post your artwork to ArtsWA's **My Public Art Portal**, the website for the State Art Collection. The Portal includes maps, images, and descriptions about these important publicly owned artworks.

Artwork stewardship

Your artwork becomes part of the State Art Collection. Its care is the shared responsibility of ArtsWA and the partner agency. *ArtCare, a Collections Management Framework for Washington State Art Collection*, details how AIPP cares for artwork in the Collection.

The partner agency is responsible for the routine maintenance of the artwork. AIPP decides what is routine maintenance (like dusting, bulb replacement, glass cleaning, or oiling moving parts) or special maintenance (like painting, replacing mortar, or performing landscape maintenance) using the information you provide in the Detailed Artwork Report and by the conservation review. We ask the partner agency about the artwork's condition every three years. We conserve the State Art Collection as funding is available.

If damage occurs to the artwork, we expect the partner agency to notify us. We may consult you about the course of action. **Please keep ArtsWA updated with your current contact information.**



AIPP Conservation Lead Jonathan Hickerson maintains Rudy Autio's *Porcelain Tile Mural*, 1984 at the Walla Walla Center for Children and Families.

Roles and definitions

Washington State Arts Commission (ArtsWA)

You'll design artwork for a specific site and work closely with a local art selection committee, but your contracts are with us. In other words, we are the client or "commissioning agency." The artwork should respond to the site's wishes as well as our requirements. We have final authority over design approval and final artwork acceptance.

State Art Collection

Your artwork is part of the State Art Collection. It lives at a college, university, public school, or state agency. The Collection belongs to the state of Washington and is a cultural resource for all Washingtonians.

The State Art Collection has:

- over 5,000 artworks
- 2- and 3-dimensional, free-standing, and integrated artworks
- works purchased or commissioned from regional and national artists

We don't commission artworks that are:

- too costly or difficult to maintain
- a design project (no mascots or memorials, for example)
- a copy or part of an edition

- made of materials that won't last. See our *Materials and Fabrication Handbook* for more information.

Art in Public Places program (AIPP)

AIPP is the program within ArtsWA that commissions art. We manage the State Art Collection. The legislature formed the program in 1974 to enhance state-owned public buildings and campuses. Program funds come from half a percent (0.5%) of state construction costs for new buildings. We were the second state to form a percent-for-art program, and one of the few states that place public art in public schools.

AIPP project manager

Your AIPP project manager is your main contact. They are your first stop for questions and guidance during your project. They can direct you to key resources. Add them to all project e-mails with the site, agency, and construction contacts. They plan and lead your committee meetings, write, and manage your contracts, ensure the quality and completeness of your deliverables, approve your payments, track your project, and help keep things on target.

AIPP program coordinator

The AIPP program coordinator processes your contracts and invoices. They can point you to resources if you have questions

about invoicing, direct deposit, or statewide vendor registration.

AIPP collections team

The collections team cares for over 5,000 artworks in the State Art Collection. They have firsthand experience of how materials perform over time across our state. Your AIPP project manager works closely with them throughout your project. They review your proposal to help resolve concerns. After completion, they refer to your project documents for the ongoing care of the artwork.

Partner agency and site

We call the agency that manages an artwork location a “partner agency”. Their construction created the artwork funds. The site is the specific location for the artwork such as the campus or building. For example, if you are working at an elementary school, the school district is the project’s partner agency, but the elementary school is your project site. Your AIPP project manager is the connection between you, the partner agency, and site. ArtsWA enters into a separate contract (an Interagency Agreement) with the partner agency that

obligates them to maintain the artworks at their facilities.

Local art selection committee

The local art selection committee is the group of people representing your project site, agency, and local community. They’ve worked with your AIPP project manager to set project goals, suggest art locations, and select you. Consider them a local resource. They share details about their community. They also give you feedback on your design. They decide whether to accept your design, but ArtsWA is ultimately responsible for the final approval of materials and design.

Conservator

At the initial design phase, we assign an artwork conservator to work with you on the conservation consultation and review. They help us decide if your design meets our needs for long-term health. They are contractors, not ArtsWA staff. We choose a conservator who knows your materials well. We review their advice and comment if needed. We share their reports with our notes. Discuss any questions or concerns with your AIPP project manager, not the conservator.

Terms and expectations

30 year expected lifespan

We expect artworks to last 30+ years. They should be durable and able to withstand the conditions at their site (rain, sunlight, dust, interaction with people, etc.). If your artwork may last less than 30 years, talk to your AIPP project manager about long-term maintenance needs and fabrication or material changes. The conservation consultation and review process helps you meet our lifespan needs. The *Materials and Fabrication Handbook* is also a resource.

Fixed budget

The budget is not flexible. Thus, it's key to build a contingency into your budget to cover unforeseen costs.

Sales tax

State sales tax does not apply to your proposal contract fee. State sales tax does apply to fabrication and installation. It is included in the total commission contract amount that we pay you. Tax rates can change during the contract period and are your responsibility. For current tax rates at your artwork site, please see the Department of Revenue's online *sales tax lookup form*. Keep in mind, while we always try to be helpful, no one at ArtsWA is a tax expert. Please refer to the *Department of Revenue* or your personal accountant regarding tax questions.

Hiatus before next ArtsWA project

If you accept a project, you can't have another project with ArtsWA's AIPP program through the proposal phase and for a period of 2 years starting from the date you sign the commission contract. This wait period gives more artists the chance to have a project and supports a more diverse State Art Collection.

Artwork warranty

We require two types of warranty:

Warranty of title assures that the artwork 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 poor installation.

The standard warranty against defects period is two years. If your design is complex, we may extend this. If the artwork fails within this time, you must fix it at no cost to ArtsWA.

For your protection, secure a warranty for any part of your artwork that someone else fabricates. Otherwise, you could be obliged to repair their work at your own cost.

Your copyrights

You retain rights under copyright law to the artwork. This includes all preliminary studies, drawings, specifications, and models.

Credit ArtsWA and partner agency

Include a credit line on images of the artwork that has your name, artwork title, date, and “Washington State Arts Commission in partnership with [partner agency]”. Also, include the name of the photographer, if required.

ArtsWA and the partner agency are not responsible for protecting your intellectual property rights from third parties. It is understood that the public may photograph the artwork. Refer to the commission contract for more details.

How we use artwork images

ArtsWA and the partner agency may use images of the artwork for non-commercial purposes. This includes, but is not limited to reproductions used in brochures, media publicity, exhibition catalogues, or similar publications. Our use must be tasteful and professional. If either ArtsWA or the partner agency wants to make reproductions for commercial purposes, they must make a separate agreement with you.

Model releases

When a recognizable likeness of a living person is a part of your artwork, give your

AIPP project manager an original, signed release of the model. If a minor, a parent or legal guardian must sign the release.

Releases are part of the artwork’s permanent record. Forms are available from your AIPP project manager.

Artist Henry Luke used model release forms to feature large portraits of students in his mural *The Name of Our World*, 2022 for Glacier Middle School in Burien.



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