

## **Artists' Frequently asked questions**

### ***What is Public Art in the City of Tempe?***

Public Art in Tempe is any work of art in the built environment commissioned by the City of Tempe and paid for using city funds. Whenever possible, Tempe Public Art collaborates with other City departments to infuse art into larger City funded projects. There are times when Public Art is freestanding within a public space.

### ***How is Public Art in Tempe funded?***

Tempe Public Art is funded by the Municipal Arts Fund. An amount equal to one percent of the City's annual capital improvements budget is appropriated into the Municipal Art Fund in order to advance art in all its forms.

### ***Is there an Art in Private Development requirement in Tempe?***

Yes. The municipal code requires commercial developments over 50,000 sq. ft to commission artwork on their property or support local arts and culture programs. The goal of the city of Tempe's Art in Private Development (AIPD) is to create landmarks within the community through a wide variety of high-quality art installations. For more information about the requirements, [click here](#).

### ***How can I apply for calls in the City of Tempe?***

Tempe Arts and Culture frequently has opportunities for artists and creatives to perform at events, share work in gallery spaces, design and create public art, and many other opportunities with Tempe History Museum, Tempe Public Art, Tempe Galleries, Tempe Arts Engagement, and Tempe Center for the Arts. [Click here to see listed opportunities](#).

### ***What does a call for artists include?***

It varies according to the project, program or organization. In general, it can include deadline, artist eligibility, selection criteria, project description, budget, project timeline, artwork goals, location of project (if determined at time of call), site history and/or description, application requirements and selection process.

### ***What is the difference between an RFQ vs. an RFP?***

RFQ stands for Request for Qualifications – this is to show your trajectory and work as an artist. It requires a review of previously created, existing artwork.

RFP stands for Request for Proposals – this is used when the entity putting the call is asking for the artist to propose a specific work for a project with specific requisites, concepts, restrictions. The work does not exist yet and therefore an RFP is an opportunity for an artist to show her/his/their ideas.

### ***Who selects the artists?***

In the City of Tempe, we work with a selection panel composed of art professionals, city staff, community members, and members of the Tempe Arts and Culture Commission (TACC). It is a selective that City Staff facilitates. At the end of the selection panel, the panel makes a recommendation and selects the finalist(s). Public Art City Staff facilitate the selection process but does not vote.

### ***Do I need insurance to make public artwork commissioned by the City?***

Yes. We require all artists to be covered by a general liability insurance. We provide artist insurance requirements with the details of coverage needed along with the contract or personal agreement.

### ***What is the difference between General Liability insurance vs. Professional liability insurance?***

They both cover common small business liabilities but cover different possible lawsuits. A **general liability insurance** policy should cover bodily injury, death, property damage, including personal and advertising injury, products and completed operations. A **professional liability insurance** policy covers lawsuits that stem from professional services, it should cover negligent professional services, failure to uphold contractual promises, incomplete work, mistakes or omissions. Artists are not licensed professionals and therefore, unlike engineers and architects, typically cannot obtain professional liability insurance.

### ***What does a contract with the City of Tempe look like?***

There are multiple agreements and contracts we work with, but we can offer a general template. Please note that contract clauses may change with time and may differ by project. This document is only meant to be an example, not for copying or using as legal advice, and it is not an offer to contract with any particular artist. [Click here for sample.](#)

### ***How does the artist get paid for their work?***

Contracts usually have a payment schedule according to milestone deliverables determined between the artists (or independent contractor, "IC"). Once the milestone is met, the artist provides the City an invoice reflecting the work done and payment is submitted through city procurement and sent in the form of a check. Milestones can include proposal acceptance, material and fabrication reviews, installation and de-installation.

### ***Who owns the copyright of the public artwork?***

The artist holds the intellectual property rights of the Project (artwork), however the Project is subject to copyright and license rights granted by the artists to the City. Some of the granted rights include perpetual and irrevocable use to promote the artwork, the

location and Tempe in online and printed platforms without additional payment to the artist. Such rights would be addressed in an agreement with the artist. The city endeavors to provide appropriate and correct identification to the artist as the author anytime the work is promoted or shared. For additional information about copyright, [click here.](#)<sup>1</sup>

### ***What is VARA?***

VARA stands for Visual Artists Rights Act. Click on the following link for explanations of what VARA does and how it works.

<https://www.law.cornell.edu/uscode/text/17/106A>

### ***Who maintains and conserves the public artwork?***

It is the City of Tempe's responsibility to maintain and preserve the artworks that have been commissioned through the municipal arts fund and are part of the city's municipal collection. We are not responsible for privately commissioned artwork located in privately owned sites.

### ***Where is Public Art located In Tempe?***

Public art commissioned by the City of Tempe include artwork integrated into multi-use paths, sculptural artworks in city parks, murals on city owned buildings, functional artworks like custom bus shelters, and unique landmarks in community spaces. To view the public art collection in Tempe, visit the [Tempe Public Art Interactive Map](#)

### ***How can I find other calls to apply for?***

The internet is a great place to find artist calls. We can think of a few websites that might lead you. :

In Arizona:

<https://azarts.gov/opportunities/arts-opportunities/>

<https://flagartscouncil.org/the-arts-council/artist-opportunities/>

<https://artsfoundtucson.org/artists-organizations/artist-organization-opportunities/>

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<sup>1</sup> Please note that this link and other links in this document to non-Tempe websites are links are to websites that are not controlled nor operated by the City, and the City has no control over the information provided at this website.

National calls: <https://www.publicartist.org/>

***What other resources are available for artists who want to work in Public Art?***

[Americans for the Arts - Public Art Resource Center](#)

[Americans for the Arts – public art network](#)

[Public Art Archive](#)

[City of Phoenix's Guide to Public Art](#)