

What happens if a project comes in under budget?

If by some slim chance expenses are less than expected, the project should be reviewed with the Public Art Program Manager to see where extra funds might benefit the project as a whole. The Artist Fee is one of the considerations but it is important that increases in the fee are fair and reasonable in terms of the overall project.

**Contracts and legal fees**

A signed agreement is required before a commission is awarded. The contract is signed once plans have been revised, technical requirements stipulated, suppliers confirmed, and the budget has been thoroughly reviewed. Independent legal advice is recommended and can form part of the costs of the project. Contract payments are made in installments, usually as a percentage of the total contract amount, and geared to specific stages of certification and production.

**Copyright**

Copyright in the completed work usually belongs jointly to the artist and to the commissioning organization or the City.

**Budget worksheet**

This worksheet is offered as a general guide to preparing a proposal. Each project is unique and must be considered according to its own needs. The budget must be submitted in Canadian dollars. Artists are responsible for ensuring that budgets are comprehensive and accurate.

(Note: PST should be included in the budget amounts. GST is listed separately if you are registered, otherwise included in the budget amounts. Always include your GST number.)

**Development Costs**

- Consultants: Architects, Engineers, etc.
- Engineering Certifications: Structural, Electrical, Mechanical, etc.
- Insurance: Liability, WCB, Errors & Omissions, Auto, Loss
- Municipal Permits and Licenses: Business License & Work Permits
- Other

**Fabrication Costs**

- Materials: list
- Labour (employees other than the artist)
- Subcontractors: list
- Storage/Work Space
- Transportation and Delivery
- Other

**Installation Costs**

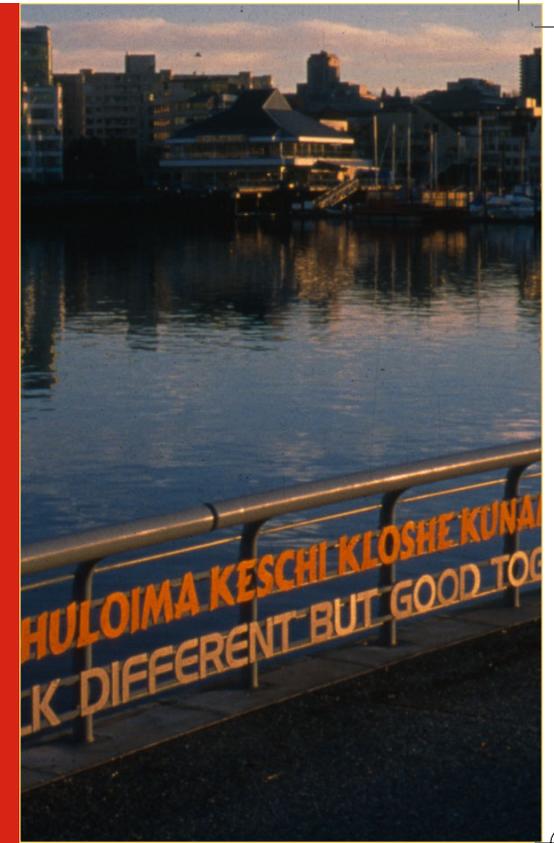
- Site Preparation
- Security Barriers
- Equipment
- Materials
- Labour
- Subcontractors
- Inspections/Permits (streets, building, electrical, plumbing, etc.)
- Clean-up and Finishing

**Fees and Administration**

- Artist Fee
- Travel and Accommodation
- Postage, Courier, Supplies, Phone/Fax, Printing
- Documentation
- Maintenance Manual
- Contingency
- GST (please quote your GST registration #)
- Bookkeeping/Accounting/Legal Fees



# Public Art Program



**Considerations for Artists Submitting to Public Art Competitions**

Developing art work for the public domain is a demanding task. This brochure outlines some of the considerations to be addressed by artists who have the opportunity to create public art projects. Artists should be prepared to work with a team of professionals, including engineers, architects, landscape architects, fabricators and others, and to respond to technical questions about design, materials, structural integrity, finishes, and maintenance. Artists may also need to respond to questions from developers, marketing agencies, and the public about themes, aesthetics, functions, and pertinence to place. On large projects, artists may wish to collaborate with a design professional or engineer.

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The following are guidelines only, and meant to prompt an awareness of areas of responsibility which can effect the success of the project. In most cases they have budget implications over and above the costs of materials and labour. The amount of detail required for the proposal will depend on the stage of the proposal process. The initial budget is a broad projection of feasibility and should take into consideration the whole range of costs. At the contract stage, it is best to have the proposal reviewed by an accountant, a quantity surveyor, and legal council.

### Engineering Guidelines

The process includes a number of reviews and inspections. Public safety is a primary concern for the finished art work. The proposal is given an in-depth review by engineers to ensure that safety, structural integrity, longevity, and maintenance plans will meet performance standards. Materials and work are inspected during fabrication, prior to installation, and upon completion.

Some general considerations include:

- Art work must be considered in light of overall planning goals and design guidelines. It must minimize the potential for concealment and anti-social activities.
- Art work must not impede the safe circulation of the public or interfere with existing structures and must be sited to ensure fire lanes, rights of way, visibility, and view corridors are maintained.
- Art work should have no accessible sharp edges, points, or projections that could cause injury, or have openings or junctures which could pinch or trap a person.
- Water features need to operate with a recirculating system. The cost of bringing water to the site is usually a cost to the project.
- Electrical components must meet or exceed CSA standards.
- Art work on walking surfaces must not exceed 1/8" from height of surface or have areas lower than 1/4" below the walking surface. Surfaces must be skid resistant and depressions should not catch heels or cause water to pool. Structural components must be flush with boulevards or sidewalks and must support vehicle weight.

### Maintenance Considerations

When choosing materials and structural elements, consider UV, pollution, wind resistance, and other factors in the environment. Elements must be protected internally and externally from corrosion. Materials must be vandal resistant and moving parts must have long service life and low maintenance cost. Anti-graffiti coatings are required. A contribution equalling at least 10% of the art budget is deposited with the Public Art Maintenance Reserve for the long-term maintenance of art work sited on public land. Private-site art work should make other provisions.

### Permits

Permits are generally required for building on site, electrical and water connection, and street occupancy (for installation) unless City staff are doing the work. General contractors may already have these permits. Permit costs (and the artist's business license) need to be anticipated and included in the budget—phone the City Permits and Licenses Office (604/873-7611). Depending on the site, other costs such as resituating traffic signs may be incurred.

### Drawings and Certifications

One to three sets of detailed drawings will be required before the production of the final art work. If you receive a commission, licensed engineering certifications are usually required on drawings and plans for structural elements. In some instances, more than one certification may be necessary if there are different components or if elements change. Costs can range from \$200-\$5000. It is best to obtain quotations from engineering firms for the initial budget. QS is a review of the budget to determine whether cost projections are adequate, prices are accurate, and if everything has been considered. In some cases this can be done by the City or contractor, but on large or complex projects an independent Quantity Survey may be required and should be budgeted for.

### Insurance

The artist/contractor must have public liability insurance of \$2,000,000 for all projects during installation and possibly for up to two years. This includes liability for injury of public and employees working on the project. The cost of this insurance could be up to \$1000/year unless you already have insurance in place which can be upgraded to cover the project. Insurance should be included as part of the costs of the project. In particular circumstances, the insurance requirement may be waived and covered by the City or contractor.

The artist is liable for the replacement cost of the art work until it is installed, and adequate insurance should be maintained. Please consult an insurance agent.

If you have a vehicle you are using for hauling, etc. on the project you should have the required auto insurance.

### WCB

As a contractor, you are required to have workers' compensation coverage for anyone who is working for you to fabricate or install the work. WCB will help cover wage loss and medical expenses for anyone hurt while working on your project. You can also obtain coverage for yourself on the project. The WCB Employer Registration number is 604.244-6182. (1999) You can register over the phone and you will receive a statement that has to be filled out regarding the wages you paid and to whom. Cost is roughly \$5.80 per \$1000 paid to employees and can be included in the budget.

Licensed subcontractors may already be registered with WCB and you will not have to cover them, but it is your responsibility to make sure of their coverage. Confirmation of WCB registration is required.

### Income Tax

It is our understanding that the entire amount of the contract must be included as part of your annual income. You can write off expenses against the income you report. You can also consider creating a company to handle projects. For information about these options you should speak to an accountant and/or lawyer.

Artists from outside Canada should consult with an accountant regarding their tax responsibilities in Canada and in their country of origin.

### GST Guidelines

It is recommended that artists who are awarded contracts should register for the GST. You must register if the contract is over \$30,000. GST Registration Forms are available from your accountant or Revenue Canada.

If you are registered for GST and provide your GST registration number, GST will be paid over and above the contract amount (minus the PST). The GST you collect is not income; it must be remitted to the federal government. However, as a registered contractor, you can claim input tax credits for GST which you pay on taxable materials that were used in the work. You must quote your GST number on all invoices and the GST amount must be listed separately on the invoice.

### PST Guidelines

PST you pay out for supplies and services should be included in the budget projections as part of the basic contract amount. PST is not added to the contract amount as the art work is considered to be an improvement of real property. Special PST considerations may apply if you are importing materials from outside the province or if you are a First Nations artist. Check with an accountant if either of these situations apply.

### Administration Expenses

Administrative expenses may include phone/fax, postage, printing, studio rental (over and above your normal work place), mileage, airfare, etc. related to the project. If submitting from outside the city, province, or country, increase courier fees and budget for site visits. A business license will be necessary and can be obtained at City Hall (call 604.873.7568).

### Documentation and maintenance manual expenses

The budget should also include the cost of documenting the completed work. The Public Art Program requires a set of slides for reference and for non-commercial reproduction, including placement on the City web site.

Architectural plans and as-built drawings of the final piece are requested for the Public Art and Maintenance archive and the cost of copying these should be considered. A Maintenance Manual is required for all public art works and this needs to be developed with drawings and particulars on materials, suppliers, fabricators, etc.

### Artist fee

Artist Fees may vary depending on the labour required and the material cost. A fee of more than 20% of the budget would be exceptional and would need to be clearly justified. As a general rule, a contingency of 15-20% should be included in the initial budget. The final project budget—at the level of the short list—should include at least a 5% contingency if all the above points have been taken into consideration.