

ART COMMISSIONING PROCESS

The art commissioning process, though a mystery to those who have not experienced it before, is a process that has been developed over centuries of trial and error. The following process has proven to be amiable to both client and artist while being flexible enough to apply to most projects.

FINDING THE RIGHT FIT

Before hiring the artist make a test fit conversation a high priority. Try to determine the artist's interest in your project, and pay attention to your own comfort level with the artists. Try to find out if the chemistry is right—whether you have the basis to build a working relationship. This is also the time to confirm that the artist has the necessary skills to undertake your project. Be thorough and specific when asking questions. Is the artist excited about the project? What does he or she see as the most important issues or considerations? Will your needs be a major or minor concern? Evaluate the artist's style, approach and personality.

If it feels like you might have trouble working together, take heed. But if all goes well and it feels like a good fit, ask for a list of references. These are important calls; don't neglect to make them! Ask about the artist's work habits, communication style and, of course, the success of the artwork. You should also ask whether the project was delivered on time and within budget. If you like what you hear, you'll be one important step closer to hiring your artist.

EXPECT PROFESSIONALISM

If this is an expensive or complicated project, you may want to request preliminary designs. Since most artists charge a design fee whether or not they're ultimately hired for the project, start by asking for sketches from your top candidate. If you're unhappy with the designs submitted, you can go to your second choice. But if the design is what you'd hoped for, it's time to finalize your working agreement with this artist.

As you discuss contract details, be resolved that silence is not golden and ignorance is not bliss! Be frank. Discuss the budget and timetable, and tell the artist

what you expect. Now is the time for possible misunderstandings to be brought up and resolved—not later, after the work is half done and deadlines loom.

WORKING WITH AN ART CONSULTANT

As your project gains definition, you'll need to pay attention to its technical aspects, including building codes, lighting specifications, and details related to zoning and installation. Most designers find the artist's knowledge and understanding of materials, code, safety and engineering complete and reassuring. However, complex projects may warrant hiring an art consultant to help with these details, as well as the initial selection of art and artists. Just as you would when hiring any other professional, call references to be sure the consultant you hire is sophisticated and experienced enough to provide real guidance with your project. This means the ability to help negotiate the technical aspects of a very specific contract, including issues like installation, insurance, storage, transportation and engineering costs.

PUTTING IT IN WRITING

It is a truism in any kind of business that it is much cheaper to get the lawyers involved at the beginning of a process rather than after something goes wrong. A signed contract or letter of agreement commits the artist to completing his or her work on time and to specifications. It also assures the artist that he or she will get paid the right amount at the right time.

Contracts should be specific to the job. Customarily, artists are responsible for design, production, shipping and installation. If someone else will install the artwork, be sure you specify who will coordinate and pay for the installation; if not the artist, it's usually the client. With a large project, it's helpful to identify the tasks that, if delayed for any reason, would set back completion of the project. These should be discussed up front to ensure that both parties agree on requirements and expectations.

Most trade professionals recognize that adequate compensation for artists ensures the level of service needed to fulfill the client's expectations. The more complex the project, the more you should budget for the artist's work and services.

PAYMENT SCHEDULE

Payments are usually tied to specific milestones in the process. These serve as check points and assure that work is progressing in a satisfactory manner, on time and on budget. Payment is customarily made in three stages, although this certainly depends on the circumstances, scope and complexity of the project.

The first payment is usually made when the contract is signed. It covers the artist's time and creativity in developing a detailed design specific to your needs. You can expect to go through several rounds of trial and error in the design process, but at the end of this stage you will have detailed drawings (and, for three-dimensional work, a maquette, or model) that everyone agrees upon. The cost of the maquette and the design time are usually factored into the artist's fee.

The second payment is generally set for a point midway through the project and is for work completed to date. If the materials are expensive, the client may be asked to advance money at this stage to cover costs. If the commission is canceled during this period, the artist keeps the money already paid for work performed.

Final payment is usually due when the work is installed. If the piece is finished on time but the building or project is delayed, the artist is customarily paid on delivery, but still has the obligation to oversee installation.

You will find that most artists keep tabs on the project budget. Be sure that the project scope does not deviate from what was agreed upon at the outset. If the scope changes, amend the agreement to reflect the changes.

THE ARTIST AS DESIGNER

Not every artist charges a design fee; some consider preliminary sketches a part of their marketing effort. But it's more common for an artist to require a design fee of 5% to 10% of the final project budget. In some cases, especially when the artist has a strong reputation in a specialized area, the design fee may be as high as 25% of the project budget; this is most common when an artist is asked for specific solutions to complicated architectural problems.

A few points about design are worth highlighting here:

1. *Design Ideas Are the Artist's Property*

It should go without saying that it is highly unethical, as well as possibly illegal, to take an artist's designs—even very preliminary or non-site-specific sketches—and use them without the artist's permission. Some artists may include specific language about ownership of ideas, models, sketches, etc., in their contracts or letters of agreement. Even if an artist does not use a written agreement, be sure you are clear at the outset about what you are paying for and what rights the artist retains.

2. *Respect the Artist's Ideas and Vision*

When you hire a doctor, you want a thoughtful, intelligent diagnosis, not just a course of treatment. The same should be true when you hire an artist to work with a design team. Most qualified artists have become successful through many years of experience, and because of their excellence in both technique and aesthetic imagination. Take advantage of that expertise by bringing the artist into the project early, and by asking him or her for ideas.

3. *Consider a Separate Design Budget for Your Project*

A design budget is particularly helpful when you:

- Want to get lots of ideas from an artist;
- Need site-specific ideas that involve significant research;
- Require a formal presentation with finished drawings, blueprints or maquettes.

To evaluate designs for a project from several artists, consider a competition with a small design fee for each artist.

4. *Keep the Artist Informed of Changes*

Tell the artist about changes—even seemingly minor details—which may have significant impact on the project design. If the artist is working as a member of the design team, it's easier to include him or her in the ongoing dialog about the overall project.

It comes down to an issue of professionalism. Artists have the technical skills to do amazing things with simple materials. But they also have sophisticated conceptual

and design talents. By paying for these talents, trade professionals add vision and variety to their creative products. In such a partnership, both parties gain, and the ultimate result is a client who is delighted by the outcome of the collaboration.

A COLLABORATIVE ATMOSPHERE

With most commission projects, it's best to bring the artist into the process at about the same time you hire a general contractor. By involving the artist at this early stage, the space will be designed with the art in mind, and the art will be designed to enhance the space. As a result, there will be no unpleasant surprises about size or suitability of artwork. Furthermore, when art is planned for early on and is a line item in the budget, it's far less likely to be cut at the end of the project, when money is running low.

Early inclusion of the artist also helps ensure that the collaborative effort will flow smoothly throughout all phases of the project. If the artist is respected as part of the team, his or her work can benefit the project's overall design.

Naturally, the scope of the project will determine the number of players to be involved with the artist. How will decisions be made? Who is the artist's primary liaison? Will a single person sign off on designs and recommendations? Are committees necessary? It's important that all individuals understand both their own responsibilities and the responsibilities of their collaborators.

SEEK TWO-WAY UNDERSTANDING

Be sure the artist understands the technical requirements of the job, including traffic flow, intended use of space, building structure, maintenance, lighting and environmental concerns. By fully explaining these details, you'll ensure that the artist's knowledge, experience and skills inform the project.

Keep the artist apprised of any changes that will affect the work in progress. Did you find a specified material unavailable and replace it with something else? Did the available space become bigger or smaller? These changes could have a profound impact on an artist's planning.

At the same time, the artist should let you know of any special requirements that his or her work will place on the space. Is it especially heavy? Does it need to be mounted in a specific way? Must it be protected from theft or vandalism? What kind of lighting is best? You may need to budget funds for these kinds of installation or maintenance expenses.

Most artists experienced with commissioned project factor the expense of a continuing design dialog into their fee. There is an unfortunate belief harbored by some trade professionals (and yes, artists too) that a willingness to develop and adapt a design based on discussions with the client or design team somehow indicates a lack of commitment or creativity.

On the contrary. The ability to modify design or execution without compromising artistic quality is a mark of professionalism. We recommend looking for this quality in the artist you choose, and then respecting it by treating the artist as a partner in any decisions that will affect his or her work.

Of course, part of working together is making clear who is responsible for what. Since few designers and architects (and even fewer contractors) are used to working with artists, the relationship is ripe for misunderstanding. Without constant communication, things can easily fall through the cracks.

FORGING A PARTNERSHIP

The partnership between artist and trade professionals is an old and honorable one. Many venerable blueprints indicate, for example, an architect's detail for a ceiling with the scrawled note: "Finish ceiling in this manner." The assumption, of course, is that the artisan working on the ceiling has both the technical mastery and the aesthetic skill to create a whole expanse of space based on a detail sketched by the architect's pen.

Stan Carroll is capable of interactive relationships like those described here. We're delighted to see increasing numbers of trade professionals include Mr. Carroll on their design teams. After seeing the arts separated from architectural and interior design for too many years, we're happy to be part of a renewed interest in collaboration.

COMMISSION GUIDELINES

- Bring the artist into the project as early as possible.
- Be as specific as possible about the scope and range of the project, even in early meetings before the artist is selected.
- Be honest and realistic when discussing deadlines, responsibilities and specific project requirements—and expect the same from the artist. Don't avoid discussing the areas where there seem to be questions.
- For larger projects, use specific milestones to assure continuing consensus on project scope and budget. It may also be necessary to make adjustments at these points.
- Choose an artist based on a solid portfolio of previous work and excellent references. And remember that it's less risky to use an artist who has worked on projects of similar size and scope, who can handle the demands of your specific job.
- Consider hiring an art consultant if the commission is particularly large or complex. The consultant should help with complicated contract arrangements, and should make certain that communication between artists and support staff (including sub-contractors and engineers) is thoroughly understood.
- Trust your instincts when choosing an artist. Like selecting an advertising agency or an architect, choosing an artist is based partly on chemistry. You need to like the work and respect the artist, and you also need to be able to work together comfortably.

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