

What is a Request for Acquisition (RFA)?

A request for acquisition is the direct purchasing of an Artist's completed artwork from either the Artist or the Gallery representing the artist. An Artist interested in selling their artwork should check The Port of Seattle VendorConnect website for acquisition opportunities.

A typical RFA includes:

1. Call Summary
2. Project information
3. Renderings (including dimensions)
4. Artist evaluation
5. Submission requirements
6. State Business License Requirements
7. Schedule
8. Artist's selection notification

For more information see link:

[Solicitation Index | VendorConnect - Port of Seattle \(portseattle.org\)](#)

What should be included in an artist submission for RFA?

Create a single PDF (titled "artist's last name, first initial, packet" (doejpacket.pdf)) combining all the requested information in this order:

1. Professional resume/CV (2-page limit) Teams: each team member may submit a resume
 2. Artist statement (maximum 500 words about the Artist)
 3. 4-6 image examples of work that is available for purchase.
 4. Dimensions, approximate weight, and materials of the artwork available for purchase
 5. List of all locations your piece(s) have previously displayed, including dates and location (optional).
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What is a Request for Qualifications (RFQs)?

An RFQ is used to assess the expertise of an Artist's qualifications for selection. It can also be combined with a Request for Proposals (RFP).

What should be included in an artist submission for RFQ?

When responding to an RFQ, the Artist will create a single PDF (titled “artist’s last name, first initial, packet” (doejpacket.pdf)) combining all the requested information in this order:

1. In the Subject of your submission email, specify that you are applying for the PROJECT NAME.
 2. Create a single PDF (titled “artist’s last name, first initial, packet” (doejpacket.pdf)) combining all the requested information in this order:
 3. Submit professional resume/CV (limited to 2 pages). Teams: each team member may submit a resume.
 4. Contact information of 3 professional references
 5. Artist statement (maximum 500 words)
 - o 4-6 image samples of previous work
 - o For each of these works includes the title of the piece(s), dimensions, date of completion, value and materials
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What is a Request for Proposal (RFP)?

An RFP is requested after a Request for Qualifications (RFQ) is completed. The Port Art Selection Panel will identify artists that they would like to be considered for the design phase process based on previous works and does not involve a specific design proposal.

Once an Artist pool is selected, the artists that express interest, will be selected to submit a Request for Proposal (RFP). Artists moving to the RFP phase will be asked to submit one proposal and will be compensated for their submission.

Following the RFP, the selection panel will select one artist or artist team for this project.

What should be included in an artist submission for RFP?

When responding to an RFQ, the Artist will create a single PDF (titled “artist’s last name, first initial, packet” (doejpacket.pdf)) combining all the requested information in this order:

1. In the Subject of your submission email, specify that you are applying for the PROJECT NAME. (RFP)
2. Create a single PDF (titled “artist’s last name, first initial, packet” (doejpacket.pdf)) combining all the requested information in this order:
3. Submit professional resume/CV (limited to 2 pages). Teams: each team member may submit a resume.
4. Written proposal (maximum 500 words).
5. Renderings showing a concept of the mural.
6. Only digital materials will be accepted, do not send a hard copy.

How is my submission going to be evaluated?

A selection committee of Port of Seattle's professional staff and members of the regional art community will review the artist submittals. Submissions will be evaluated based on professional merit, previous public art projects, experience with unique art installations, ability to collaborate with various Port departments, and the art concept's adherence to the Port's request to highlight the strength of the existing collection.

Where can I find the Public Art Program Policy and Guidelines?

You can find the Port of Seattle's Public Art program Policy and Guideline following this link:

[Microsoft Word - 2009 APPROVED GUIDELINES FINAL 2 .docx \(portseattle.org\)](#)

Port of Seattle Commission adopted [Resolution 3766](#) (November 19, 2019)

What are contract negotiations?

After evaluating the proposals, agency staff or the review committee usually recommend a single firm for contract award, subject to contract negotiations. Negotiations with the recommended firm include refining the scope of work, schedule, deliverables, and price, with the objective of obtaining the best value for the agency. Agencies may wish to develop a checklist of standard contract terms that can be modified for individual projects.

The agency must ensure that the final scope is consistent with the services described in the formal solicitation document. A substantial change in the scope may lead to protests from unsuccessful firms, especially if it is accompanied by a cost increase over and above the original projections.

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When determining whether the cost is fair and reasonable, agencies should consider the nature of the work, the risk assumed by the consultant, the management of any sub-consultants, and the project timeline.

If the agency is unable to negotiate a fair and reasonable price with the most highly qualified firm, it may negotiate with the second-most qualified firm instead, and so on until an agreement is reached with one of the firms or the process is terminated ([RCW 39.80.050](#)).

Does the Port of Seattle compensate artists for their submission?

The Port compensates artists responding to a Request for Proposal according to project budget and the approval of the Public Art Program.

What are the requirements for out-of-state business planning to operate in Washington State?

Out-of-state businesses will need to comply with Washington laws and regulations if you:

1. Purchase a Washington business.
 2. Operate in or open a physical location in Washington.
 3. Perform on long-term or short-term contracts in Washington.
 4. Hire employees who work from their homes in Washington.
 5. Have a taxable presence (i.e. nexus) in Washington
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Why do I need a business license?

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If you intend to make money at what you paint, sculpt, carve, or otherwise create, you must consider getting a business license. The Internal Revenue Service makes distinctions about what constitutes a hobby versus what is a business. For more information, please click on the link below.

[Here's how to tell the difference between a hobby and a business for tax purposes | Internal Revenue Service \(irs.gov\)](#)

Do I need a Washington State business license to enter into an agreement with the Port?

Yes. In order to enter into a long-term or short-term contract with the Port of Seattle to perform any services and its obligations with the Port, an artist must comply with all applicable local, State and Federal laws.

The Artist will need to register with the State of Washington to obtain a Uniform Business License (UBI) number, file appropriate taxes with the department of revenue and comply with various federal labor and employment laws.

Where do I get a Washington State Business License?

At the Small Business Administration web site, you can check out the handy License and Permit page, which allows you to fill in your location and business type (or put in General Licensing), after which you'll receive another page, full of more links. You can also click on your state directly.

Small Business Guidance – Road Map for Opening a Business in WA State
[Road Map for opening a business \(wa.gov\)](#)
[Roadmap.pdf \(wa.gov\)](#)

State of Washington Business Licensing Service
[Business Licensing Service and local licensing | Washington Department of Revenue](#)
www.bls.dor.wa.gov

Washington State Department of Licensing – Trade Name Registration
www.dol.wa.gov/business/.

Washington State Department of Licensing Master License Service
[WA State Licensing \(DOL\) Official Site: Business and professional licenses](#)

What is a state business license?

Those who intend to work in Washington State and gross over \$12,000 a year from art-making activities or generate income from the retail sale of their art must obtain a business license from the state of Washington. However, any Washington state artist regardless of their income as an artist can still obtain a business license, and you don't have to be earning money to do so.

To obtain a business license from the state of Washington you must fill out a four-page Master Business Application. Contact the Washington State Department of Licensing Master License Service to receive an application and information on starting a new business. A Unified Business Identifier number, or UBI number, is assigned after you complete your application. This number is used by state agencies involved in business regulation, taxation, and registration.

The nine-digit UBI number also allows you to purchase items (materials, supplies, etc.), that will be incorporated into an artwork for resale, without paying retail sales tax. The UBI number is your resale number. The UBI number also makes it possible for you to purchase products/materials from companies that only serve wholesale clients.

Note: The business license application may take approximately 10 business days to process. If you have city or state endorsements, it may take an additional 2-3 weeks to receive your business license due to approval time.

State of Washington Business Licensing Service
[Business Licensing Service and local licensing | Washington Department of Revenue](#)
www.bls.dor.wa.gov

Does retail sales tax apply to my project?

Any artist who charges retail sales tax when selling their artwork must obtain a business license. If you are selling your artwork to a retail consumer or client such as the Port, you must charge sales tax. When you sell to a wholesale client (someone who resells your work) you do not charge sales tax. Sales tax registration and all other necessary state registrations and licenses including trade name registration are included in the Master Business Application. There is no fee for tax registration.

Sales tax is not collected by the Port of Seattle and deducted from the award amount. Tax is reported by breaking out the rate and reporting to the IRS. The artist is responsible for reporting tax and filing any taxes due annually to the IRS.

Internal Revenue Service - Taxes
[Businesses | Internal Revenue Service \(irs.gov\)](#)
[Business Licensing and renewals FAQs | Washington Department of Revenue](#)

Department of Revenue – Opening a Business
[Open a business | Washington Department of Revenue](#)

Do I need to include my trade name when doing business with the Port?

An artist's trade name or "doing business as" name must be registered with the Washington Department of Licensing when you apply for a business license. A trade name is any name used in the course of business that does not include the full legal name of the owner of the business. There is a fee for each name you register. This registration does not provide protection of the name. Federal and/or state trademark registration is required in providing name protection.

To see if a trade name you wish to use is already registered, check the Washington Department of Licensing's trade name search online at <http://www.bls.dor.wa.gov/tradename.aspx>. You can also search this database by mail. See WA Department of Licensing for fees and mailing address.

If I have a foreign business, can I do business in the WA State and at the Port?

Yes, for foreign businesses, first ask what is your company's business structure: sole proprietorship, partnership, corporation, or limited liability company (LLC)? If your entity was formed outside of Washington, filing a "Foreign Entity Registration" in Washington through the Office of the Secretary of State is typically a first step.

Registration is required for all contractors and many businesses specialty licenses and certifications. Talk with your legal advisor to understand the benefits, risks, and requirements.

Registration requires that you designate a "registered agent" in Washington, a Washington-based person or business with a physical address who is to receive your official business entity notifications.

Office of the Secretary of State – Foreign Entity
[Foreign Entity Registration, Links, and Forms | WA Secretary of State](#)
[12.2021---foreign-profit-registration-statement.pdf \(wa.gov\)](#)
[FAQ - Registered Agent | WA Secretary of State](#)

Revised Code of Washington:
[RCW 23.95.510: Foreign registration statement. \(wa.gov\)](#)
[RCW 23.95.505: Registration to do business in this state. \(wa.gov\)](#)
[RCW 23.95.510: Foreign registration statement. \(wa.gov\)](#)

What if I am a non-profit business, can I do business with the Port?

Yes, but first you must register with the Office of the Secretary of State as a nonprofit corporation under Chapter 24.03 RCW and submit a copy of their 501(c)3 or 501(c)4.

1. First, contact the Washington State Secretary of State
2. Next, you should obtain a tax exemption letter issued by the IRS.
3. Finally, you should get a nonprofit business license from the City of which you are located.

Office of the Secretary of State – Non-Profits

[Nonprofits | WA Secretary of State](#)

[Download Forms | WA Secretary of State](#)

Revised Code of Washington:

[Chapter 24.03A RCW: WASHINGTON NONPROFIT CORPORATION ACT](#)

Do I need a “City” Business License?

City business licenses may be required for business activity within the city limits of any city however, the Port accepts your state Unified Business Identification Number (UBI).

Where do I go for more information about a business license?

The State of Washington Business Licensing Service has a great website full of information at www.bls.dor.wa.gov/. You can also call 1-800-451-7985 or email bls@dor.wa.gov. The Washington State Department of Licensing website provides contact information for proper licensing with state and local governments based on your business activity.

Small Business Association – Licenses & Permits

[Apply for licenses and permits \(sba.gov\)](#)

[sbl_flyer.pdf \(wa.gov\)](#)

[Small Business Guide: Open \(wa.gov\)](#)

Is insurance required to do business with the Port?

Yes, depending on the scope of work of the art project, the Port may require the following insurance on coverage:

1. Commercial general liability insurance
2. Automobile liability insurance
3. Industrial insurance for the artist, its employees and sub-artists/ contractors
4. Professional liability (Errors & Omission) insurance

When do I need to provide proof of insurance?

Typically, within ten (10) days after receipt of an agreement and/or amendment, the artist shall provide insurance as specified in the contract as summarized below. All such insurance shall be in effect until Close Out and acceptance of the Artist work or longer to the extent so required by Contract. The insurance requirements shall specifically apply to the artist and any Subcontractors, Sub-installers, or Sub-consultants. The artist shall specifically require such coverage under the terms of any Subcontract for completing any part of the work. The artist shall provide Certificate of Insurance and endorsements for each of the following:

1. Additional insured endorsement – ongoing work
2. Waiver of subrogation
3. Primary and non-contributory coverage
4. Additional insured endorsement for completed operations (1 year)