

**Memorandum of Understanding
Arts in Public Places Washington
Arts Commission and Washington
State Department of Transportation**

Appendix V

Appendix V contains the Memo of Understanding between WSDOT and WAC regarding incorporating art in public projects. See also [Chapter 470](#).

**Memorandum of Understanding
Arts in Public Places**

**Washington Arts Commission
and
Washington State Department of Transportation**

Whereas, per RCW 17.200, each state agency is required to set aside one-half of one percent of the funds to be expended on the original construction of public buildings for acquisition of works of art, and

Whereas, per the 18th Amendment to the States Constitution, Motor Vehicle Funds are restricted to use for highway purposes only, and

Whereas, per RCW 43.17.210, the Washington Arts Commission has the responsibility for determining funding amounts, selection of projects and sites, and selection, commissioning and installation of works of art funded for the moneys set aside for the acquisition of works of art, and

Whereas, per RCW 43.17.210, the Washington Arts Commission is to accomplish the above outline responsibilities in consultation with the directors of the state agencies;

Now Therefore, the Washington State Department of Transportation (WSDOT) and the Washington Arts Commission (WSAC) mutually agree that:

- The comptroller for WSDOT, following each legislative session, will identify, in conjunction with WSDOT program managers, the amount of funds to be set aside for purchase of works of art. In addition, the comptroller for WSDOT will earmark these funds for use by WSAC. These moneys will be held by WSDOT which will reimburse WSAC for expenses incurred within the biennium on art projects for WSDOT sites and/or projects.
- When determining the amount of funds to be set aside by WSDOT, capital funds for the following will not be considered under the provision of "original construction of public buildings":
 - Highways, trails, paths, bridges and related structures
 - Ferry and other marine vessels
 - Renovations to existing capital facilities
 - Highway construction sheds; warehouses, maintenance sheds and shops, and temporary buildings

- The comptroller for WDOT will, at the beginning of each biennium and as appropriate thereafter, identify to WSAC the amount of funds set aside for that biennium for the acquisition of works of arts.
- The roles and responsibilities for the acquisition, installation, display, maintenance and use of works of arts shall be detailed in an interagency agreement signed by WSAC and WSDOT.
- WSDOT shall have the right to select its own members for art selection panels which have the responsibility to select sites, artists, and works of art. WSAC will provide a project manager who will facilitate the work of the art selection panels. WSDOT recognizes WSAC's recommendation that art selection panels should normally contain 3 to 7 members. In order to ensure proper representation by WSDOT staff, the following WSDOT members or their designees shall be represented on art selection panels as appropriate:
 - Manager, Communications and Public Involvement
 - Manager, Architecture
 - Regional Administrator or other Appropriate Executive
 However, for all projects the Manager, Architecture or other designee shall be the point of contact for WSAC for each specific project.
- WSAC shall keep the WSDOT point of contact informed of all WSAC procedures and guidelines.

Agreed to by:

[Signature]
 Washington State Department
 of Transportation

11/7/94
 Date

[Signature]
 Washington State Arts
 Commission

3/15/95
 Date

APPROVED AS TO
 FORM: OCT. 24, 1994
 W. J. B. S. J.
 ASSISTANT ATTORNEY GENERAL
 THE WA. ST. DEPT. OF
 TRANS.

APPROVED AS TO FORM ONLY
 15th DAY OF Nov 19 94
 ATTORNEY GENERAL
 BY *[Signature]*
 ASSISTANT ATTORNEY GENERAL

