

“Art in the Open”

Call for Artists: City of Attleboro, MA

Temporary Public Art

Submission Deadline: March 27, 2023

The City of Attleboro, in collaboration with the Attleboro Arts Museum, Attleboro Public Library, TDI Attleboro, and the New England Foundation for the Arts (NEFA), is seeking submissions from artists for the creation of original artwork. The selected art will be part of Attleboro’s growing “Art in the Open” public art initiative and will drape a construction fence at a high-profile location in Attleboro’s downtown.



View of the southern portion of the Project Site

PROJECT OVERVIEW & CONCEPT

Attleboro’s growing “Art in the Open” public art initiative invites artists to propose original artwork design for a 130’ wide x 6’ high construction fence banner in Downtown Attleboro, at the site of a new multi-story apartment building that is currently under construction (27-39 South Main Street, Attleboro, MA).

Summary of Project Timeline:

Call Issued: February 27, 2023

Deadline for Questions: March 10, 2023

- *Submit questions to: catherinefeerick@cityofattleboro.us no later than 10 AM EST on the above date.*

Proposal Submission Deadline: March 27, at 11:59 PM EST, 2023

Completion of Submission Review: April 14, 2023

- *Conduct interviews if necessary*

Anticipated Date to Award Contract: May 5, 2023

Artist or Artist Team Commences Work: May 5, 2023

Delivery of Artwork High Resolution File: May 31, by 11:59 PM EST, 2023

- *The selected artist will deliver the final artwork in the form of a high-resolution file. The City of Attleboro will have the file imprinted on a substrate and installed on the fence.*

Installation of Artwork: June 15, 2023

Deinstallation of Artwork: January 15, 2024 or as agreed between the parties

See below for more details on the project timeline.



View of the northern portion of the Project Site

About Attleboro, MA

The City of Attleboro is a Gateway City with a population of nearly 50,000 residents located 46 miles southwest of Boston, MA and 15 miles north of Providence, RI. Attleboro is closely connected to both cities by interstate and commuter rail. Attleboro has a strong industrial legacy, particularly within the jewelry industry, earning it the historic moniker “The Jewelry Capital of the World.” Downtown Attleboro remains home to a few industrial buildings, but most have now been converted (or are in the process of being converted) to other uses.

Downtown Attleboro is a dense and diverse neighborhood featuring traditional Main Street retail, government services, cultural institutions, residential buildings, and professional offices. It is a growing neighborhood, with six large-scale residential or mixed-use projects entering permitting in the last five years. Along with the growth in residents, the downtown has seen a revitalization in small business activity. Since the pandemic, over ten new businesses have moved into the neighborhood, ranging from clothing retailers to restaurants to gift shops. Like the surrounding residential population, these businesses are largely immigrant-owned. Downtown is home to communities from Southeast Asia, Central America, the Caribbean, the Middle East and North Africa, and many other places of origin.

Project Location

This temporary public art installation along the construction fence at 27-39 South Main Street will be a high-profile location in Attleboro’s downtown. The location of this project is pivotal: it lies approximately halfway between the Attleboro Commuter Rail Station and the busiest downtown intersection.

There are three trees and one light pole located in front of the fence, and the site can be seen easily by vehicular traffic going both directions on South Main Street. It can also be viewed by moderate to heavy foot traffic.

Please note there is no electrical access on the site.

Project Overview

The City of Attleboro seeks digital artwork designs suitable for a 130’ wide x 6’ high construction fence banner. The City of Attleboro will arrange to have this banner fabricated of highly durable, low-maintenance materials, suitable for climate conditions, resistant to UV damage, and safe for public interaction. The artwork will be on view for a minimum of six months from the date of installation. The artwork is to remain on site for the entire display period.

Artists **may** incorporate modifications to the banner, such as but not limited to, “windows” in the artwork allowing individuals of all heights and in wheelchairs to peek at the construction (this is not a requirement). NOTE: The artist is responsible for the cost of any modifications to the banner (e.g. coordination, labor, additional materials, etc.)

Community Informed Themes. Although a multi-level apartment building is being built on this site, the artwork should not focus on this particular development. The artwork must reflect what Attleboro communities are proud of, and what they desire for the future of our city. Through a community survey, the City of Attleboro gathered community feedback, and asks artists to submit artwork that reflects the following themes:

- **People** (Stressing the humanity of the city; a collective of ages/backgrounds and interests)
- **Community** (The bonds we build and share; appreciating and respecting our common ground)
- **Togetherness** (United we can prosper and help one another to grow)
- **Feeling welcome** (Acceptance; warmly received without judgment)
- **Safety and safe spaces** (free of threat; emotionally supported; all spaces are open and inviting)
- **Vibrancy** (Flowing with energy, life, positivity)
- **Progressive attitude, equity** (Impartiality; valuing and respecting differences)
- **Emphasis on art, culture, education, natural resources** (fostering “whole” individuals; appreciation for the humanities, sciences, and excellence in schooling at all grade levels)

Commission: \$10,000 – Includes the artist’s creative fee, travel, client consultation/communication, any required technology, tools or hardware, project documentation and contingency to cover unexpected expenses. The final artwork must be delivered as a high-resolution file and scaled to fit the height and width of the construction fence. Any modifications to the banner (e.g. “windows”) are to be covered by the artist.

The City of Attleboro will be responsible for the production and installation costs of the appropriately sized banner(s) based on the artist’s original image. NOTE: This project is in the public realm and may therefore be exposed to physical stresses, as well as be subject to vandalism. There is no guarantee that the substrate used will remain pristine or that any damage will be fixed by the City of Attleboro.

Eligibility Criteria and Submission Requirements

Eligible proposals must:

1. Be submitted by an artist(s) at least 18 years of age.
2. Reflect the community informed themes listed above.
3. Include the name of the city, Attleboro, at least once in the proposed artwork.
The manner in which the name is presented should be determined by the artist, keeping in mind the concept of the art and its overall design.

Preference will be given to artists with a connection to Attleboro, MA – but this is not required.

NOTE: The proposed artwork cannot feature any commercial, political, or religious content.

Selection Criteria:

The selection committee will rank each proposal meeting the proposal requirements according to the criteria listed below.

- Design concept's resonance with the community informed themes
- Environmental Context/Site Appropriate
- Artist's ability and commitment to complete the design phases (PHASE I and II in the timeline below) by May 31, 2023.

Preference will be given to artists with a connection to Attleboro, MA – but this is not required.

Submission Requirements

Proposals must be submitted electronically by March 27, 2023 at 11:59 p.m. ET. Incomplete submissions will not be accepted. Please use the following link to submit a proposal: <https://forms.gle/itCHpe9zULHUUPdx9>.

1. **Contact information.** The primary contact's mobile phone, email and mailing address(es) and name(s) of any other artists that would be working on this project, along with their roles in the process.
2. **Artist(s) Background Information.**
 - a. **Artist's resume** or CV, not to exceed 2 pages (per artist).
 - b. **Artist's biography**, not to exceed 500 words (per artist).
 - c. **Artist's digital portfolio** of at least 5 works of art previously created by the artist with captions that indicate the title of each piece, medium, client (if appropriate), location (if appropriate), year created, and a brief description of the piece. Artists must indicate if the portfolio pieces are mockups or if any have actually been installed/produced/exhibited.
 - i. Artists should indicate if they have created and installed artwork on a construction fence in the past and list actual examples (having

created artwork to cover a construction fence in the past is **not** required to apply for this project).

- ii. Link to an artist's website or social media site may be included but cannot substitute for the digital portfolio.
3. **Rough sketches of 1-3 original concepts** for the "Art in the Open" construction fence artwork. The sketches should be scaled to reflect the proportions of the 130' wide x 6' high fence shape, and incorporate the name of the city, Attleboro.
 - a. A written description (not to exceed 2 pages) of the artist's "Art in the Open" sketch(es) **including a brief explanation of how the proposed design resonates with and reflects the community informed themes.**
4. **Proposed Workplan.** Provide a brief explanation of your workplan/timeline to turn your proposed concept into a final design, ready to be submitted to the City of Attleboro as a high-resolution file and scaled to fit the height and width of the construction fence by May 31, 2023.
5. **References.** The names, titles, addresses, and daytime phone and/or email addresses of two references who can speak to your artistic achievements.

Project Timeline

Once the artist is selected, the proposed project consists of phases as identified below. The artist will meet with City of Attleboro and development team representatives at the project site to initiate the project. Work to be carried out during each phase are described below.

The project, beginning April 14, 2023, and ending by January 1, 2024 is outlined as follows:

PHASE I: ANALYSIS AND PLANNING

Initiation

- Analysis of the installation site, environmental conditions, and constraints.
- Meet on site with the project coordinator.
- Inspect site with project coordinator.
- Confirm all expectations of artist and City of Attleboro representatives.

PHASE II: CREATIVE DEVELOPMENT, PRODUCTION & DOCUMENTATION

While artwork is being finalized and produced:

- Hold two meetings with City of Attleboro representatives, either in-person or virtually, at agreed upon dates and times. Review status of artwork development, receive 1-2 rounds of art direction on developing artwork, discuss any challenges, and confirm next steps.
- Respond to art direction with updated artwork, delivered at agreed upon date(s).

- Document creative process for record and online announcements/social posts, media distribution. Coordinate with the City of Attleboro's Community Engagement Manager.

PHASE III: INSTALLATION, PROMOTION, DEINSTALLATION

- Finalize mutually agreed upon installation date (artists are not required to be on-site for install, but it is preferable)
- Provide imagery for press and social media posts
- Finalize mutually agreed upon deinstallation date (artists are not required to be on-site for deinstall)

PHASE IV: DEBRIEF

- Review of project either in-person or virtually, to capture best practices, areas for improvement, challenges, reactions.

Proposals must be submitted electronically by March 27, 2023 at 11:59 p.m. ET. Please use the following link to submit a proposal:
<https://forms.gle/itCHpe9zULHUUPdx9>

Submissions received after the stated time and date will be rejected. All questions regarding this call for art must be submitted via email to catherinefeerick@cityofattleboro.us no later than 11:00 AM on March 10, 2022. Emails must be marked in the subject line "Question: Art in the Open Call."

Attachments

- Community Informed Themes – Full results of public survey
- Sample Grant Agreement

Attachment: Community Informed Themes – Survey Results

What do you care most about in this community?

29 responses

- That it keeps evolving into something better
- Familiar and **welcoming** people and places
- People **helping** and being there for one another.
- fixing up the downtown area. making it **desirable** for visitors and the folks who live here.
- The **people** and the local wildlife
- Public **spaces to gather** like parks
- Free community events
- It feeling like a **close knit community**...I like things that **bring people together**. For example the Winter fest, Expo for the senses and the decades old "Wednesday Night Market" Art around town from local artists would allow their work to be showcased and makes **Attleboro feel "homey"**
- Feeling like there are things going on- being able to participate in something with my neighbors and having spaces that are dedicated to **bringing people together** where people don't have to spend money to spend time together.
- **Helping the less fortunate** and underserved communities
- connection to our past
- The students/schools.
- cleanliness & safety
- i really never thought about, what i care most! i think the moat i care about is that it is a **safe city**, safe to walk at night allone!
- Ensuring other people are proud of Attleboro
- **Education, safety, affordability** (rapidly diminishing here) - I've lived in Attleboro almost my entire life, but want to see it continue to grow in positive ways, just not at the cost of pushing out those of us with low income.
- Building a safe and social support for all those local
- Family things to do
- **Diversity, cleanliness, and vibrancy.**
- It has everything you need! A zoo, hospital, awesome HS!
- **Education and children**
- open space, access to art events
- Kids
- History, beauty, cleanliness, the museum and library
- People keeping up their properties, **attractive public spaces.**
- The **people**
- **Safety**
- **Nice people**
- Population **diversity**

What would make you proud to live in Attleboro?

27 responses

- That we are well known for something good and helpful. That we are a **great place to live** and raise a family.
- I am now.
- People **being kind**. **Thriving businesses** downtown. Representation of the **diversity** that makes Attleboro great.
- More **unique features** and more community events like the trick or treat, and the expos, and the markets
- **Equality** for all
- I've always appreciated the **Town feel** of the city and family oriented events.
- Anything that promotes a sense of **kindness and community**.
- Having more opportunities to **connect with people** in our community that aren't monetarily motivated. Having more things to do downtown and more spaces to create **art**.
- More **art** and support for art!
- a vibrant **art** community in the downtown
- Support for **women, POC, neurodivergent people, LGBTQIA...**
- **community** involvement
- if attleboro would be known as the **art** city! that would be epic!
- A **vibrant, walkable downtown** with a diverse set of store fronts and outdoor seating.
- **Safe, clean**, well-lit spaces (hopefully full of art!) - A lively downtown with attractive businesses that people can easily explore on foot or by car.
- More **community** and togetherness
- Better elementary schools/sped services. More art and music in schools.
- Everyone contributing to a strong sense of **community**.
- A **vibrant downtown**, more interactive groups.
- That we would become a destination city
- increased **art** presence overall
- A performing **arts** pavilion.
- Expansion of the art museum to a higher level
- A downtown that is less depressing. Mansfield and North Attleboro have vibrant downtowns
- **Scenery and beauty**
- A thriving **community**
- I already am-new high school, library, parks etc. I just wish the downtown landlords would upkeep their buildings.

What would you like Attleboro to be known for?

30 responses

- **Fun and unique destinations**. Great local businesses.
- Cultural **events and beautiful places**
- **Inclusivity. Respect. Kindness.**

- It was once the Jewelry City. It's time to wake up and get back to its arts roots
- great art and food.
- Peaceful and **vibrant** community areas, fun activities, supportive local businesses
- Not Paddleboro. Kidding! As a place that people move to not just because it's on the commuter rail but because they have heard it's a great place to live
- **Vibrant** downtown with great shops, restaurants, art etc. A place people want to visit for an afternoon.
- I hope that Attleboro produces a legacy of being a **welcoming** and inspiring place to live.
- **Creativity** mecca
- being **creative** and exciting
- A place with great education and respect for **diversity**.
- **community** spirit
- the **art** city
- "The city so nice the train stops twice." (you can steal that and put it on a mural downtown)
- A **diverse community** with something for everyone.
- Na
- I'm not sure I think it's just lasalet
- Interesting things!
- **Progressiveness!**
- Art, culture, popular small business, education
- ceramic sculpture
- Safety
- It's charm and unique hospitality and diversity
- A food scene.
- It's education
- Rejuvenation of downtown
- Uniqueness
- It's resources
- **Welcoming** city

What would you like the cityscape of downtown Attleboro to look like in the future?

32 responses

- A good mix of well maintained old and new. Functional places. Unique business destinations. Things for my kids to do. Walkability.
- Little shops sustained by people living in the town
- Thriving businesses that represent the diversity of the city's population.
- Something that real urban designers thoughtfully work with the residents
- more landscaping with birds and bees in mind
- Warm and welcoming and full of unique features
- More restaurants and murals!
- Clean and bright and welcoming.

- Taken care of. Some of the shops/restaurants downtown that are newer look great on the outside and inside, some of the older places look run down on the outside. I wish all the buildings were kept to the newer standard.
- More indoor public spaces for people to be together without having to spend money or be charged a membership fee. More opportunities to come together as a community to create new things and brainstorm community projects. A homeless shelter in the downtown area. A revitalized and reinvigorated downtown with more to do. More engaging and curated outdoor spaces.
- Bright and colorful and unique
- more larger style buildings to fill in the core
- Colorful and representative of our people.
- bustling, a bee-hive of activity
- vibrant, with lots of flowers and planters everywhere benches to meet up with friends
- Whatever gets stuff on the tax rolls and off the ugly list to be honest, but it would behoove us to keep the charm of some of the unique style of early 20th century architecture common to the New England 'mill town' vibe.
- Better parking options (and better public transportation), but also very walkable. Vibrant shops and restaurants dotted with green spaces, affordable housing, and restored (rather than destroyed) historic buildings whenever possible. Clear signage for businesses to attract customers.
- More safe and secure. More uplifting and positive
- More welcoming, brighter, parking, make it safe to walk there with kids, less trash
- Sculpture, lighting, better signage, and more trees and plants. And more outdoor seating!
- Clean looking and less druggies.
- Accessibility, manicured green space, nice shops, more outdoor events
- vibrant, lively, active
- Don't know
- Clean and fully alive
- Restored historical buildings, more restaurants and shops, more people downtown.
- None
- More occupied storefronts
- Idk
- Slower traffic, open businesses
- More pedestrian friendly
- I would like to see for art created by all ages of people.

List 3-5 words that describe your positive idea of Attleboro's future

24 responses

- Beautiful, safe, thriving, culture, fun
- Vibrant, beautiful downtown respecting history
- Inclusivity. Respect. Kindness.
- sustainable, attractive, friendly
- Vibrant, lively, peaceful, and community friendly
- Beautify!

- Culture, Connection, Community
- Community, support, consensus, vibrancy, forward-looking
- vibrant, growth, cutting-edge, creative
- Progressive, welcoming, peaceful.
- vibrant downtown-shopping, restaurants
- more art!
- Accessible. Vibrant. Safe.
- Safe, affordable, green, walkable, progressive
- Affordable family town
- Clean, bright, colorful and interesting.
- Leaders, lucrative, green-minded
- Atmosphere, safe, fun, educational
- culture, community, activists
- Education oriented, pro-arts, pro-community values
- None
- Welcoming, active, engaging with citizens
- Build a life
- New industry, good education, more diversity

6 VIBRANT

5 COMMUNITY

4 SAFE

2 WELCOMING

Do you volunteer at any community agencies? What are they and why do you support them?

24 responses

- No
- Christmas is for Kids because it is a great organization that helps the children in the community.
- Ahps, ALT, interfaith collaborative - the good they do for the community and the joy of participating
- I don't volunteer but I donate. Literacy Center, YMCA, Library
- I've volunteered for early recycling efforts, the arts, farmers market, land trust, and food security.
- Seekonk Public Library (lived there for 34 yrs)
- I currently don't have time as I am a caregiver but Hebron food pantry is a wonderful addition to the community and has done much for my family when we had tough times
- No I don't. I should. But I know my current bandwidth.
- Currently I do not volunteer with any organizations because I am not sure what positions are available. Would love to view a compiled list of volunteer opportunities that are available throughout the city!
- Not currently but I've participated at the Attleboro community theatre? Hebron food Pantry, and literacy center in the past

- historic preservation society, I like to keep Attleboro's history alive and showcase past achievements and architecture
- sadly, I do not as my work keeps me weekend days as well!
- I've made donations of stuff/food pantry, but much not with volunteer time. I would like to help more when not tutoring/working, especially if I could help with the Art Museum.
- No I work a ton
- Murray Unitarian Universalist
- Keep Attleboro beautiful, because it's important for not only our city, the environment and the future
- my agency where I work also
- Library , museum, Hope health hospice, st John's church
- Volunteering on a city committee, donating to Attleboro council of churches.
- I was a nun in NYC and I believe in the power of education & art
- Commission on Disabilities; library
- No
- Yes I volunteer Hebron food pantry, like all food pantries they need volunteers to help out those who may not be fully able to help themselves.



How would you describe public art in Attleboro as it exists today?

What do you like about it? What don't you like about it?

31 responses

- Expanding quickly. Great art. A good variety of styles and types. Something for everyone. I love the electrical boxes and Cuddy court. Really makes the city look nice.
- Electric boxes. I like the unexpected nature of it.
- I really like it. It adds life to certain parts of the city, and beautifies it.
- Good start. Make sure there is some kind of process to submit and curation in selecting the art.
- There is more public art now than there was a year ago but more would be better. I would like to see more murals on buildings. Maybe a lottery for young people to showcase their work.
- I like the vinyl covers on the utilities boxes, they are bright pops of color and life around town!
- I like that it brightens up some usually dull spaces. I also like that it scattered not only downtown, but in other busy areas as well
- I have seen additions on the transformers as of late and I LOVE IT. Something to make your day joyful instead of a mechanical box. Would love more
- I think it's making wonderful progress. I like that it brightens up our city.
- I like the wrapped utility boxes. They look really nice around the city.

- I think all of the murals by Jess Tracey are incredible. Also love seeing the utility boxes with the art wraps on them downtown. I would love to see even more public art installations of all different types throughout the city. I would also enjoy the opportunity to create art with other members in the community that can be displayed throughout the city.
- Has potential but lacking. We need more art, diversity, and to put it in creative locations!
- Lacking. There are large areas of downtown with no artwork. Art can make an area feel more welcoming.
- I love that we have it! I wish it spoke more to the diversity in our city.
- Cuddy court & the utility boxes look great! I'm not sure if everyone knows about Cuddy ...
- I like how vibrant the transformer colors are and that this reaches even out of the downtown area!
- I LOVE!!!! the artwork around the parking garage/area behind N. Main St -- is that what's called Cuddy Court? It's incredibly iconic and cool. The recent prints covering the utility boxes are also a great addition. I'd love to see more installations like that around town! I imagine some people find the creatures 'weird' so perhaps vary the styles elsewhere in the city, but personally, they are my favorite thing about the downtown.
- Not enough of it in the area
- I want more of it. Sides of buildings. The kids schools (the outsiders are so boring) love what we see so far.
- More please!
- Limited street stuff
- I love it, it's refreshing to see happy to see pretty and creative sights around town.
- I like the new covers on the utility boxes. I would like to see more art overall. It would be great to have an art map that highlights public art.
- It looks great nice to see
- The eagle in the park is hideous and should be removed. The museum banners are pleasant. I dislike the sculpture in Balfour Park.
- Non-existent
- Not enough
- I like the Safety
- I like Cuddy court. That seems to be it though.
- The artwork is great, I just wish there was more of it. There seems to be opportunity in the downtown area for more murals and at the Riverwalk Park, train station, bus depot.
- I like how there is art of all types throughout the city and I would like that to increase.

What type or style of art do you want to see more of?

32 responses

- Sculptures in parks. Maybe even interactive sculptures or things for kids to climb on.
- Sculpture and continued painting of useful things, making them beautiful
- I would like to see more murals on buildings in places that are easier to view than Cuddy Court.
- All kinds including kinetic art

- Any type...not too political because I would be afraid of it being damaged.
- Murals would be nice, I miss the wedge one that used to be by the senior center's parking
- I like the wrappings on the utility boxes
- Any and all
- Any type! The more art the better!
- any
- Any! All art is beautiful and exciting! Art breathes new life into any space it occupies.
- Any and all! Art under underpasses, on sides of buildings, sculptures and displays, etc.
- various types, murals, sculptures, street art, digital
- More art by POC, neurodivergent artists, students.
- live performances, dance/music
- id love to se sculptures of all sorts.
- Murals on the side of buildings. More art that would call back to Attleboro history or drive Attleboro pride.
- I really like botanical/nature-inspired designs, which may be the most generally popular? Maybe also include some artwork by a member of a community near where it is installed - for example, areas of town with a large Hispanic/Latino population could have something by a local Hispanic/Latino artist.
- Anything uplifting and positive.
- Murals on large building walls downtown, bright fun different, downtown is dingy and cold feeling. But art helps :)
- Any and all!
- Sculpture. Performance events.
- Murals and sculptures!
- all types and atyles
- Don't know
- Sculpture
- Better sculpture.
- Nature, religious, historical
- Colorful, exuberant, celebratory
- Kid friendly
- IDK
- Murals and sculptures

What public art would you most enjoy?

34 responses

murals	15
projections	0
earthworks	0
dance	1
theater	2
performance art	1

sculpture	9
music/sound	1
street art	0
2-dimensional art	0
Digital	0
All of the above, each one depends on the site	1
I like them all	1
The excellence of the artwork, not the type, should be the determining factor.	1
Youth Dance & theatre	1
Any/all of the above	1

Public Art Grant Agreement

This Grant Agreement (“Agreement”) is made and entered into by and between the City of Attleboro (“CITY”), a municipal corporation organized and existing under the laws of the Commonwealth of Massachusetts, by and through its Mayor, [Mayor Name], and (Artist’s Name) (“ARTIST”), alternatively “the parties.”

Recitals

WHEREAS, CITY publicly released a Call for Artists on or about February 3, 2023, attached hereto as Exhibit A; and,

WHEREAS, ARTIST entered into a grant agreement to develop a completed concept for public art as requested in the Call for Artists, attached hereto as Exhibit A; and,

WHEREAS, CITY has reviewed ARTIST’s submitted concept application, attached hereto as Exhibit B, and it has determined that that the concept meets all prequalification requirements; and,

WHEREAS, pursuant to Massachusetts General Laws, Chapter 30B, CITY may, as a public procurement, enter into a Grant Agreement with an individual to “carry out a public purpose”; and,

WHEREAS, the CITY has allocated funds for a public art commission from the New England Foundation for the Arts (NEFA), and,

WHEREAS, ARTIST has completed a design for the ARTWORK that has been approved by the partners to this project, and upon approval will proceed to final design, fabrication and installation of the ARTWORK; and

WHEREAS, the CITY finds that it is in the best interest of the CITY, its citizens and visitors to enhance and enliven the CITY’s public spaces through the design, fabrication and installation of this ARTWORK on the terms and conditions in this Agreement; and,

WHEREAS, the creation of public art is a public purpose to enhance the cultural nature, historical background, and beautification of public space;

NOW THEREFORE, in consideration of the mutual covenants set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Terms and Conditions

1. Term

The Term of this Agreement shall be for 6 months, and it shall expire on January 1, 2024.

2. City Covenants

The City hereby agrees that it will:

- A. Make payments to Artist in a total amount not to exceed \$10,000. Payments will be made upon the completion of subtasks as reimbursement upon a mutually agreed schedule. Final payment shall be made within 30 days of the successful and approved submission of the Artist’s completed public art.

- B. Provide Artist with public attribution of its completed Artwork.
- C. Designate one primary point of contact at the City who will be available throughout by email, phone, and video chat to review and provide guidance on production over the course of the grant period. Draft artworks will be reviewed by a team of City staff and arts and cultural advisors. The City contact for the Artist will manage the organized and timely sharing of feedback to guide the development of Artwork.
- D. Meet with the Artist to develop a production schedule.
- E. Conduct a social media campaign and public event or events, which may be virtual, to showcase Artwork as available for public use.

3. Artist Covenants

Artist hereby agrees that it will:

- A. Perform all work as an independent contractor and not as an employee of City. Artist shall not be deemed to be nor shall it represent itself as an employee, partner, or joint venture of City.
- B. Provide any and all materials and equipment necessary to submit an approved submission of Artwork.
- C. Submit to City its Artwork on time and within the requirements set forth in Exhibit A.
- D. Allow the City and members of the public to reproduce and publicly display the Artwork in any medium of its choice, without exception and without Artist's prior approval; any public use of the artworks will include attribution to the Artist.
- E. Affirm that they are the sole creator and owner of the submitted and approved Artwork, and have full power and authority, unencumbered by the rights of any third party, to enter into this Agreement and to grant the rights set forth herein.
- F. Affirm the submitted and approved Artwork will not infringe upon any proprietary right at common law, or any statutory copyright, or trademark right, or any other right of any other third party.
- G. Affirm the submitted and approved Artwork contains no material that is unlawfully obscene, libelous, that violates the right of privacy or publicity of any person or is otherwise harmful to any third party, so as to subject the City to liability or is otherwise contrary to law.
- H. Adhere to the best of their ability to the production schedule co-developed with the City and to communicate necessary changes in the production timeline with advance notice.
- I. Fully indemnify and hold the City harmless from and against any and all claims, demands, costs, expenses, liabilities, causes of action and damages of every kind and character (including reasonable attorneys' fees) which may be asserted by any third party in any way related or incident to, arising out of, or in connection with the Artist's approved and completed Artwork.
- J. Artist will be responsible for the payment of any and all state and federal taxation with regards to received payments.

4. Production Schedule

[INSERT from Artists's Workplan]

The production schedule timeline may extend depending on the media and scope of artwork. The City reserves the right not to publish a final Artwork not submitted by the agreed deadline or in the agreed form and to withhold final payment. The Artist is not responsible for delays caused

by the City that impact the original project development and completion timeline as outlined in this Grant Agreement.

5. Acceptable Formats for Finished Artwork/Deliverables

Artwork is acceptable in PDF, svg, tiff, jpeg, or other format as appropriate to the medium and suitable for sharing online, at a minimum of 3456 x 4608 pixels at 300 ppi. Multiple image files should be numbered in the order in which artists intend them to be viewed and might be resized per design needs.

Finished Artwork should include attribution to Artist, the City, and NEFA.

6. Copyright

The City and Artist each reserve a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, and otherwise use, and authorize others to use any artworks/deliverables developed under this agreement with attribution. Artist retains all ownership and copyright of any ancillary materials developed under the Grant Agreement and will grant the City a royalty-free, nonexclusive, limited right to reproduce, publish, and otherwise use any such ancillary materials on a case-by-case basis with the written permission of Artist.

7. Lead Artist – Grant/s Made to a Cohort of Artists

In the event that this Grant is provided to a group of artists (“cohort”), the signatory to this Grant Agreement shall serve as the Lead Artist. There can only be one Lead Artist regardless of the number of artists who are included in the cohort. The Lead Artist assumes all responsibility and liability for the acts, work product, and payment of the cohort. The City is not in privity with any member/s of the cohort.

8. Non Assignment

This Agreement is non assignable. Artist may not assign any term, in part or in whole, of this Agreement.

9. Notices

All notices required by this Agreement shall be in writing and mailed by First Class Mail, return receipt to:

City: 77 Park Street
Attleboro, Massachusetts 02703
Attention: Catherine Feerick, Economic Development Director
Email: catherinefeerick@cityofattleboro.us

To the Artist: _____

Attention: _____

Email: _____

All notices sent to the Artist shall be to the address identified above. Failure of Artist to inform the City in writing of any change of address during the Term of this Agreement shall result in the identified address deemed as the last known address, and notice shall be deemed sufficient when sent to this address.

10. Amendments

Any and all amendments to this Agreement must be made in writing and signed by both parties by a person with designated authority to bind each party.

11. Severability

If any term of this Agreement is held to be illegal, void, or unenforceable by a Massachusetts court of competent jurisdiction, all other terms shall remain valid and enforceable.

12. Forum Selection and Venue

This Agreement shall be construed in accordance with the laws of the Commonwealth of Massachusetts. Any and all legal actions commenced under this Agreement shall be in a Massachusetts court of competent jurisdiction.

13. Entire Agreement

This Agreement constitutes the entire Agreement between the parties and it supersedes and replaces any prior written or oral agreements or representations between the parties.

IN WITNESS WHEREOF, each party hereto states that it has authority to legally bind their respective party and have executed this Grant Agreement on this, the ____ day of ____, 2023 under the pains and penalties of perjury.

By:

Authorized Signature

Authorized Officer (print name)

Title

CITY OF ATTLEBORO:
By:

[Mayor Name]
Mayor

Deborah Gould
Auditor

Approved as to form: _____
Peter Mello
City Solicitor

SAMPLE