

# contracts.

Adapted from Bowling Green University - Office of Campus Involvement

## **A contract is....**

- An enforceable agreement between two parties, a convenience.
- An agreement in which each party agrees to give up something in exchange for something else
- Legally binding and can be settled in a court of law.

## **Why do we have contracts?**

- Protect ourselves
- Protect our clients (performers, speakers, providers)
- Insure clear understanding of expectations
- Serve as a record of what was said/promised
- Present professionalism on part of organization or part of Provider

## **Basic Contract Terminology:**

Acts of God - gives an organization a way out of the contract if a disaster occurs.

*"The Purchaser (you) may terminate or temporarily suspend performance of any part of this agreement without notice in the event of an emergency, which would make the performance not feasible."*

Americans with Disabilities (ADA) - The organization is responsible for ADA compliance for the facility you use for the event (ex: wheelchair ramps, handicapped access seating, interpreters required).

*"It is the reasonability of the Purchaser to exercise reasonable effort in assuring the facilities are accessible to people with disabilities in a manner consistent with the guidelines of the ADA, provided that the Provider (them) uses reasonable effort to determine and report to the Purchaser any special needs that may exist."*

Additions and Deletions - Making amendments (changes) to the contract. Make sure preparations are in place as to how to handle them such as preparation time, work of members, money, etc. Let the other part know how to handle changes and vice versa.

*"Request for additional facilities, equipment not included in this agreement, are subject to availability...any additions or deletions...must be initialed by a representative of both parties...to be considered valid."*

Assignment - Means the contract is between your organization and the Provider only, and no part of the agreement can be sub-contracted out to some other Provider.

*"This agreement may not be assigned or transferred, either in total, or in part, by either party with the prior written consent of the other party."*

Cancellation - Clearly defines conditions that must be satisfied if the event is cancelled/contract breached. Make sure to set deadlines for payment/no-payment of the contract for both parties. Include clauses for cancellation including advertising costs, rental fees, and other purchases that become the other party's responsibility in the event of cancellation.

*"If Provider cancels this contract...it shall be liable to the Purchaser for direct costs incurred specifically in preparation for the event."*

## **Basic Information needed for a contract:**

- Name of Provider
- Their representative's name, address, phone #
- Date, time, and place of performance
- When they will arrive
- Type of show
- How long the performance is, amount they are being paid
- What the organization is providing

**Questions?  
Visit the Student  
Activities Office  
(Union 320) or call  
940.565.3807**