

**Event Vendor Agreement**  
2021 City of Waukesha Oktoberfest

This Agreement is by and between the City of Waukesha, 201 Delafield St., Waukesha, WI 53188, referred to herein as the City; and BSA Explorers Post 178, 1901 Delafield St., Waukesha, Wisconsin, 53188, referred to herein as the Vendor.

**Recitals**

The City will present an Oktoberfest event at Frame Park, free and open to the public, with events to take place on September 24, 2021, 5:00 to 11:00 pm and September 25, 2021, Noon to 11:00 pm, and is willing to allow the Vendor to participate as a vendor of Waukesha Oktoberfest promotional items such as t-shirts, koozies, pins, etc. and to share revenues with the City, provided the Vendor abides by rules set by the City.

The Vendor is willing to provide such vendor services during the Oktoberfest event, and to abide by the terms of this Agreement.

Therefore, the City and Vendor agree and contract as follows:

- 1. Vendor Responsibilities.** The Vendor shall be responsible for the following duties, at its sole expense:
  - a. Provide sufficient numbers of volunteers and ensure that no fewer than 3 and no more than 8 persons will be working at the vending location assigned by the City between 3:00 pm and 11:30 pm on September 24, and between 11:00 a.m. and 11:30 pm on September 25. Vendor must remain on site until event closes at 11:00 pm.
  - b. Sell to attendees of the Oktoberfest promotional items such as t-shirts, koozies, pins, etc. as approved for sale by City, at the assigned vending location. Product pricing shall be as determined by the City.
  - c. Provide the City with an inventory of items sold during the event.
  - d. Accept only official event tickets in payment of all sales, retain all tickets presented by attendees in payment, and deliver all collected tickets to City no later than 11:30 pm each night.
  - e. Keep the assigned vending area clean and free of waste and debris. All waste and debris shall be collected and placed in the appropriate solid waste or recyclables containers provided by the City, by 11:30 p.m. each night.
  - f. Follow all direction and supervision of City employees.
- 2. Vendor Additional Activities.** Vendor may engage in any of the following activities while performing its duties under this Agreement:
  - a. Mount signs, banners and flags identifying the Vendor's organization.
  - b. Solicit and collect donations to the Vendor's organization. Solicitations shall clearly indicate that donations are voluntary and are not required in order to purchase products from Vendor.
  - c. Distribute literature promoting the Vendor's organization and membership in the organization.
- 3. Compensation for Vendor's Services.** Vendor shall be paid 15% of sales sold and verified by the official tickets collected in payment for sales of products by Vendor. The amount to be paid to Vendor shall be determined by weighing the tickets turned in by Vendor, and not by actual count. Weighing will take place on September 27, 2021, and payment shall be made no later than October 22, 2021.

4. **City Obligations.** The City shall be responsible for purchase of promotional items such as t-shirts, koozies, pins, etc. for Vendor concessions; promotion and marketing of the Oktoberfest event; all ticket sales; tents, tables, and chairs, and set-up and tear-down of them; music and entertainment; wristbands for attendees; signs, pedestrian control, and traffic control; and security and safety services.

**City of Waukesha**

\_\_\_\_\_  
By Shawn N. Reilly, Mayor  
Date:\_\_\_\_\_

\_\_\_\_\_  
Attested by Gina L. Kozlik, City Clerk-Treasurer  
Date:\_\_\_\_\_

**BSA Explorer Post 178**

\_\_\_\_\_  
(print name)\_\_\_\_\_  
Title:\_\_\_\_\_  
Date:\_\_\_\_\_

\_\_\_\_\_  
(print name)\_\_\_\_\_  
Title:\_\_\_\_\_  
Date:\_\_\_\_\_