

**CITY OF WAUKESHA****Administration**

201 Delafield Street, Waukesha, WI 53188  
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[www.ci.waukesha.wi.us](http://www.ci.waukesha.wi.us)

<b>Committee:</b> <b>Parks, Recreation and Forestry</b>	<b>Date:</b> 06/17/19
<b>Common Council Item Number:</b> Click here to enter text.	<b>Common Council Meeting Date:</b> <b>7/2/2019</b>
<b>Submitted By:</b> Ron Grall WPRF Director /Joanna Adamicki, Special Events Coordinator	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Rich Abbott, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Approval and authorization of contract between City of Waukesha and Sprecher Brewing Co. for Neighborhood Beer Gardens and Waukesha Oktoberfest beverage and food supplies.	

**Details:**

Waukesha Parks, Recreation & Forestry Dept. is contracting with Sprecher Brewing Co. to provide beverages for the Neighborhood Beer Gardens and Waukesha Oktoberfest. A Request for Proposal was disseminated, and staff's recommendation is to contract with Sprecher Brewing Co. The Sprecher Brewing Co. bid was of greatest value to the City. The City Attorney has reviewed and approved this contract.

**Options & Alternatives:**

WPRF staff considers contracting with Sprecher Brewing Co. to be the most efficient and cost effective method to provide these services for WPRF beer gardens and Oktoberfest events.

**Financial Remarks:** Oktoberfest Event expenses will utilize 5994.53958.

**Executive Recommendation:** Recommend approval of the contract between City of Waukesha and Sprecher Brewing Co. and authorize the Mayor to enter into this contract.



**Event Supplier Agreement**  
2019 City of Waukesha Neighborhood Beer Gardens & Oktoberfest

This Agreement is by and between the City of Waukesha, 201 Delafield St., Waukesha, WI 53188, referred to herein as the City; and Sprecher Brewing Co., Inc., 701 W. Glendale Ave., Glendale, Wisconsin, 53209, referred to herein as the Supplier.

**Recitals**

The City will present the Neighborhood Beer Gardens at Rivers Crossing Park, 3703 Rivers Crossing Dr., Waukesha, August 22-24, 2019; and at Merrill Crest Park, 616 University Dr., Waukesha, September 5-7, 2019; as well as the Oktoberfest event at Frame Park on September 27 and 28, 2019; and is willing to allow the Supplier to participate as a Supplier of beverages and food as determined by the City in its sole discretion. The Supplier is willing to provide such Supplier services during the Neighborhood Beer Gardens and Oktoberfest events, and to abide by the terms of this Agreement.

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

1. **Supplier Responsibilities.** The Supplier shall be responsible for the following duties, at its sole expense:
  - a. Sell to City or City's partner, fermented malt beverages, sodas, sparkling waters, pretzels and any additional agreed upon products.
  - b. Maintain in force at all times during the Neighborhood Beer Gardens and Oktoberfest events, a policy of public liability insurance, naming the City as an additional insured, with limits of not less than \$1,000,000 per incident and \$2,000,000 aggregate. Policies shall be occurrence, and not claims-made, and Supplier's insurance shall be primary, not excess, and non-contributory. The policy shall be from an insurer licensed to issue such policies in Wisconsin. Prior to the Neighborhood Beer Garden event, Supplier shall deliver a certificate of insurance to City showing that all requirements of this section are met.
  - c. Provide vehicles for product service (ambulance, fire truck, tap trailer, and a second fire truck (for Oktoberfest) along with all serving equipment including, but not limited to tappers, freezers, pretzel warmers, pizza ovens, cheese machines, glass wear racks, and bar sections in good working order.
  - d. Delivery and set up of vehicles and all equipment on the Tuesday preceding each event.
  - e. Tear down and pick up of vehicles and equipment on the Monday following each event.
  - f. Provide training on equipment prior to each beer garden and for Oktoberfest on Wednesday, September 25, 2019 at 6:00 p.m.
  - g. Provide on site staff at the opening of Oktoberfest on Friday, September 27, 2019, 4:30 to 5:30 p.m. to ensure all equipment is in working order.
  - h. Provide promotional materials for the Waukesha Neighborhood Beer Gardens and Oktoberfest to Sprecher Brewery tour attendees.

- i. Comply with Exhibit A product and pricing.
  - j. Provide Firkin, cups, and staff to tap the Firkin at the opening of each Neighborhood Beer Garden and Oktoberfest at no cost.
2. **Indemnification.** Supplier shall indemnify and hold the City of Waukesha harmless from any and all liabilities, lawsuits, damages and costs, including court costs and actual attorney fees, arising from the acts or omissions of Supplier or any of Suppliers members or volunteers, occurring during Supplier's performance of services for the Neighborhood Beer Gardens and Oktoberfest events.
3. **Supplier Additional Activities.** Supplier may, at its option, mount signs, banners and flags identifying the Supplier's business.
4. **Compensation for Supplier's Services.** Supplier shall be paid for products within 30 days upon invoicing the City following each event. The Neighborhood Beer Gardens will be billed to the City of Waukesha. Oktoberfest fermented malt beverages will be billed to the City's partner.
5. **City Obligations.** Event obligations for which the City, and not the Supplier, shall be responsible include: Promotion and marketing of the Neighborhood Beer Gardens and Oktoberfest events; 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  
Treasurer  
Date: \_\_\_\_\_

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

**Sprecher Brewing Co., Inc**

\_\_\_\_\_  
By Jeff Hamilton, President  
Date: \_\_\_\_\_

## **Exhibit A Products & Pricing**

- Provide Firkin, cups, and staff to tap the Firkin at the opening of each Neighborhood Beer Garden and Oktoberfest
- 16 oz. plastic cups with the Sprecher logo at \$3.00 per sleeve of 50
- Option to rent beer garden tables at the rate of \$10 per table
- Charge of \$150 per service unit per beer garden up to \$1,500
- Provide a quantity discount of 12% on a minimum purchase equivalent to 80 half barrels
- Mutually agreed upon variety of fermented malt beverages such as Fire Light, Oktoberfest, Special Amber, Dopple Bock, IPA
  - Quarter Barrel, \$62 to \$78.00 each
  - Half Barrel, \$117 to \$142.00 each
- Craft Hard Sodas (malt beverages) such as Hard Root Beer, Hard Ginger Beer, Hard Apple Pie
  - Quarter Barrel, \$62 each
  - Half Barrel, \$117 each
- Hard Cider such as Cidre De Pomme and Cran Cidre De Pomme
  - Quarter Barrel, \$65 each
  - Half Barrel, \$130 each
- Radlers such as Grapefruit, Mango, Passion Fruit/Guava
  - Quarter Barrel, \$62 each
  - Half Barrel, \$117 each
- Wine
  - Five Gallon Box, \$100
- Craft Soda such as Root Beer, Lo-Cal Root Beer, Ginger Ale, Cherry, Orange Dream, Cream
  - Quarter Barrel, \$35.50 each
  - Half Barrel, \$55.50 each
  - 16 oz. bottles, \$.83 each
- Craft Sparkling Water
  - 12 oz. bottles, \$.60 each
- Pretzels
  - 5 oz., \$2.00 each
  - 1 lb., \$5.00 each
- Mustards, 1 gallon, \$11 each
- Pretzel Cheese, 140 oz., \$60.00 each
- Root Beer Pops, \$2.00 each
- Variety of Beer Pops, \$4.00 each



**City of Waukesha  
Department of Parks, Recreation and Forestry  
Beer Garden and Oktoberfest 2019 Bid  
ALL BIDS TO BE OPENED APRIL 11, 2019 @ 4:15 pm**

Raised Grain Brewing  
Nick Reistad, COO  
Raised Grain Brewing Co.  
[nick@raisedgrainbrewing.com](mailto:nick@raisedgrainbrewing.com)

BID RECEIVED

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Sprecher Brewing Co.  
Michelle Brzek,  
Business Development Manager  
[mheffron@sprecherbrewing.com](mailto:mheffron@sprecherbrewing.com)

BID RECEIVED

**Award to Sprecher Brewing based on the following:**

- Food not sub-let/outsourced making this a more profitable option
- Lower beer prices creating more profitability
- Greater variety of beverage options including wine, radlers, and sparkling water
- Variety of beer garden service experience throughout Southeastern Wisconsin
- Rental of equipment ~~fees waived~~ ("fees waived" was rescinded from the bid)– unique and secure service presentation