

ORDINANCE NO. 2017-20

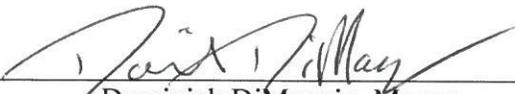
AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN AGREEMENT – SUMMER CONCERT – OFF THE CHARTS

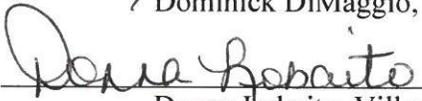
BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Illinois, that the Mayor be, and the same is, hereby authorized and directed to execute an agreement with Off the Charts in substantially the form attached hereto as Exhibit "A," and, by this reference, made a part hereof. The foregoing Ordinance was adopted by a roll call vote as follows:

AYES: Kaiser, Hosik, Riess, Corrigan, McCarthy

NAYS: 0

ABSENT AND NOT VOTING: David

APPROVED: 
Dominick DiMaggio, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

ADOPTED: April 27, 2020

APPROVED: April 27, 2020

Exhibit "A"

BASS/SCHULER ENTERTAINMENT
 4055 W. PETERSON AVE., STE. 306 - CHICAGO, IL 60646 * (773) 481-2600
 FAX (773) 481-2601

PERFORMANCE AGREEMENT

Contract No.: BSE-66993 (REISSUE)

This agreement for the personal services of performers on the engagement described below, is made on JANUARY 28, 2020, between VILLAGE OF HAWTHORN WOODS (hereinafter referred to as "Purchaser") and OFF THE CHARTS (hereinafter referred to individually and collectively as "Artist"). BASS / SCHULER ENTERTAINMENT (hereinafter referred to as "Agent") represents that it is the Agent of Artist.

1. Name and address of place of performance: COMMUNITY PARK GAZEBO, 5 PARKVIEW LANE (QUENTIN RD. & OLD MCHENRY), HAWTHORN WOODS, ILLINOIS (847) 847-3533
2. Date(s) of performance: July 3, 2020 - (FRIDAY)
3. Performance time(s): APPRX. 6:00 PM - 9:00 PM
4. Contact(s): AMY MASON - AMASON@VHW.ORG (224) 500-8687 CELL
5. Type/Name of Event: FESTIVAL FIREWORKS NIGHT
6. A) Sound system with qualified operator to be supplied by: ARTIST
 B) Light system with qualified operator to be supplied by: NOT APPLICABLE
7. Special provisions: BAND PLAYS PATRIOTIC MUSIC 10-20 MINUTES LEADING UP TO FIREWORKS. IN THE EVENT OF A LOCAL, STATE, OR NATIONAL EMERGENCY, THIS CONTRACT IS NULL AND VOID AND THE ARTIST WILL RECEIVE NO COMPENSATION. THIS INCLUDES, BUT IS NOT LIMITED TO, STAY HOME ORDERS AND/OR GATHERING RESTRICTIONS PUT IN PLACE BY LOCAL, STATE, OR FEDERAL AUTHORITIES. IN THE EVENT THIS DATE IS CANCELLED FOR SUCH CIRCUMSTANCES, PURCHASER SHALL RESCHEDULE ARTIST FOR A PERFORMANCE IN 2021.
8. Contract price: \$ 1500.00 FLAT GUARANTEE. PLEASE MAKE CHECK PAYABLE TO: GARY A MASCETTI.

IN THE EVENT A DEPOSIT IS REQUIRED, PLEASE FOLLOW INSTRUCTIONS BELOW:

- (A) \$ 0.00 shall be paid by Purchaser to and in the name of BASS / SCHULER ENTERTAINMENT, payable by check(s), money order or wire transfer only, as security deposit, due no later than _____.
- (B) Balance of \$ 1500.00 shall be paid by Purchaser to Artist, immediately following the conclusion of the engagement; payable in cash, money order or check(s), only to leader, manager or representative of Artist.

FOR OFFICE USE ONLY
 Deposit Rec'd: _____ Amount Rec'd: _____ Rec'd By: _____
 RETURN CONTRACT TO
 BASS/SCHULER BY
 February 28, 2020

9. It is understood that this agreement is binding on both Purchaser and Artist. If the engagement is canceled by Purchaser for any reason other than an Act of God (not to include rain), Purchaser's deposit, if any, shall be forfeited, such forfeiture being in addition to Artist's other remedies at law. In the event of rain, Purchaser must provide alternate performance site or pay Artist in full. If the engagement is canceled by Artist for any reason other than an Act of God, Agent will replace Artist with a comparable Artist by mutual consent of Purchaser and Agent, or will refund Purchaser's deposit, if any; provided, however, that Agent, at its option, will be entitled to the full commission from Artist. Agent has negotiated this agreement between Purchaser and Artist, and acts solely as Agent for Artist, and is not responsible or liable for any act of commission, omission or nonperformance on the part of either Purchaser or Artist. Agent is not responsible or liable for any personal injury that may occur in association with performance(s).

Purchaser: VILLAGE OF HAWTHORN WOODS / AMY MASON
 By: [Signature] Date: 4/27/2020
 Signature of Purchaser

Village of Hawthorn Woods, 2 Lagoon Drive, Hawthorn Woods, IL 60047
 Address, City, State and Zip

Artist: OFF THE CHARTS / GARY A MASCETTI
 By: [Signature] Date: 4/17/2020
 Signature of Artist

C/O Bass / Schuler Entertainment, Attn: , 4055 W. Peterson Ave., Ste. 206, Chicago, IL 60646 Fax: 773-481-2601
 Address, City, State and Zip

ANY ATTACHMENTS, RIDERS OR ADDENDA ARE BINDING PARTS OF THIS CONTRACT.