

Phi Kappa Sigma – XXXXX Chapter Third Party Vendor Contract (sample)

The following agreement is between the _____ Chapter of Phi Kappa Sigma (“PKS”),

a non-profit association, at the _____
and

college/university

_____ (“Vendor”) of

_____ *vendor name*

_____ *city and state*

Duties

- Vendor is hereby engaged to provide the following bartending services during the PKS function described on Exhibit A to this agreement.
- Vendor assumes any and all responsibility for the following:
 - Checking for proper identification upon entry
 - Not serving to minors
 - Not serving individuals who appear to be intoxicated or acting in a manner that could be detrimental to other persons
 - Providing safe transportation as appropriate
 - Maintaining absolute control of all alcoholic containers present
 - Collecting all remaining alcohol at the end of a function (no excess alcohol - opened or unopened - is to be given, sold or otherwise furnished to the Chapter)
 - Removing all alcohol from the premises
 - Complying with the Rules (as defined below)
- Vendor agrees to cash/credit sales only, collected by the vendor, during the function.
- Vendor warrants and represents that they have all licenses required by the appropriate local and state authorities (A copy of the licenses must be attached) and all bartenders provided by Vendor (1) are TIPS certified; (2) are familiar with all federal, state, local, university and Phi Kappa Sigma Fraternity laws, regulations, policies and guidelines applicable to the serving of alcohol at the PKS function (“The Rules”); (3) will perform their duties in accordance with the rules; and (4) will not consume or use illegal substances or alcoholic beverages while performing their duties.
- Nothing contained in this Agreement or otherwise shall be construed to constitute Vendor as an employee or agent of PKS, it being intended that Vendor is an independent contractor solely responsible for the actions of Vendor and Vendor’s employees and agents.

Compensation

- Vendor will be paid upon a per-job basis in accordance with Exhibit A and will be solely responsible for paying Vendor’s employees and agents.

Indemnification/Insurance

- Vendor shall defend, indemnify and hold harmless PKS, Phi Kappa Sigma International Fraternity, Inc. and their members, officers, volunteers, and agents from liability of any claim arising out of injuries or damages caused by any act or omission of the Vendor or Vendor’s employees or agents.

- Vendor will provide evidence of \$1,000,000 General Liability and Liquor Legal Liability insurance with PKS and Phi Kappa Sigma International Fraternity, Inc. named as additional insured.
- Vendor agrees that its insurance shall be Primary on behalf of the Additional Insureds and any other insurance available to the Additional Insureds shall be excess and non-contributory. (Attach a copy of the vendor's "certificate of insurance").

Miscellaneous

- This agreement (including Exhibits) contains the entire agreement between the parties, and no amendments, changes, additions, or qualifications may be made or will be binding unless made in writing and signed by both parties.

This agreement was made on the ____ day of _____, _____. The agreement is for an event which will be on the ____ day of _____, _____. The event will be held from _____ to _____ at _____ which is located at the following address:

The undersigned agree that the above criteria have all been fulfilled and that all required documents have been attached to this agreement.

In witness thereof, PKS and Vendor have signed this agreement to be effective as of the date set forth above.

Vendor

Chapter

Name of person completing form – Printed

Chapter president's name – Printed

Title

Title

Street

Street

City, State, Zip

City, State, Zip

Signature

Signature

Note to Person signing for vendor: By signing, you agree that you have the legal authority and right to bind Vendor to this contract.

EXHIBIT A
Bartending Services

PKS Function

Date:

Place:

Hours:

Description:

Compensation

Number of Bartenders:

Hourly rate or other fee(s):

Payment terms: