

# Naples Boat Show Contract (Addendum to Application)

This agreement is entered into on the acceptance date shown on the application form by the exhibiting company (Exhibitor) and the Marine Industries Association of Collier County, Inc. (MIACC). For and in consideration of the rental sum (identified on the application as "Total Amount Due") including the agreements and covenants contained herein, and the faithful and timely performance by Exhibitor of such agreements and covenants. MIACC hereby grants to Exhibitor the right to use the confirmed space designated as indicated on the official site design of the show located on a portion of the property known as Renaissance Village, for the period of time indicated in the accompanying information, for the installation, display and removal of exhibitor materials and for no other purpose and shall display and exhibit only those products or services for which the Exhibitor is legally entitled. This agreement is made and entered into upon the following terms and conditions, which are mutually agreed to by both parties.

**1) Show Management** - All decisions regarding space assignment, nature and style of exhibit, floor management before, during and after show hours, interpretations and enforcement of rules and regulations including such amendments and further rules and regulations as may be considered necessary for the proper conduct of the show and all other matters pertaining to the show shall be made solely by the MIACC Show Chair or committee member if chair is unavailable.

**2) Product Displayed** - The show management reserves the right to approve or disapprove an exhibitor's products for display. All products exhibitors wish to display must have prior approval before move-in. Upon initial dealer registration, all lines an exhibitor wishes to display must be as listed/described on the exhibitor application. You will be notified upon review of your request.

**3) Liability** - Exhibitor shall be responsible for obtaining insurance at their own expense. Said **certificate shall indicate the Marine Industries Association of Collier County, Brompton Road Partners, LLC, Antaramian Development Group, LLC, and Jack J. Antaramian as additionally insured and loss payees with minimum liability of \$1,000,000 with a Waiver of Subrogation provision.** The Certificate of Insurance must be received by the show management before December 31st, 2010. Exhibit materials will not be permitted onto the show property without properly authenticated proof of insurance. Exhibitor shall be solely responsible for insuring that all ramps, stairs or boarding devices within or leading into their exhibit space or display units shall be of a type normally suited for such purposes and shall comply with all applicable building codes and safety standards. Neither the MIACC nor their duly appointed representatives shall be liable or responsible for any injury to exhibitors or their employees or their guests or visitors while within the space or spaces contracted for by the Exhibitor nor shall said parties be liable for the loss of any goods from any cause whatsoever while the same are in transit to or from the show or while they are in the exhibit area.

**4) Payment For Space** - Application for space must be submitted on the official contract application form and must be accompanied by the deposit specified therein. Signing the application for space will constitute a contract for payment after allocation of space is made by show management. No goods will be permitted to be placed in the exhibition area until all payments for space rental have been completed. Payment for space must be made with irrevocable funds, e.g., certified check, money order, etc., if not received by show management at least 10 (ten) business days before the show opens. Show management reserves the right to waive this payment method based on the relationship experience between the vendor/exhibitor and show management.

**5) Deposits For Space** - Deposits for space are not refundable once space is assigned by show management.

**6) Subleasing Of Space** - Exhibitor may not sub-lease, assign or apportion their space. No more than one firm may exhibit in a single space without the written permission of show management.

**7) Ordinance Compliance** - All applicable electrical, fire and health department rules and regulations and all city, state and federal laws shall be complied with. Exhibitor is responsible for compliance with local fire codes, including but not limited to, the presence of at least one fully charged fire extinguisher. **A minimum of one 2-A-10 BC (5lbs) AVC fire extinguisher shall be required for every concession.** Individual exhibitor is responsible for any charges incurred for fire re-inspection following failure to meet fire codes. See Sections 13 and 14. Exhibitors in the pavilion area must ensure that all engines and fuel tanks are empty of combustible fuel, batteries fully charged, but disconnected and taped. **Fire inspection will be done at 4:00 pm Wednesday, Jan. 26<sup>th</sup>, 2011. This inspection requires that all vendors be on location at the time of inspection. Should a vendor not be present at the time of inspection, a \$50.00 re-inspection fee shall be assessed. The vendor will not be allowed to open to the public until all fees have been paid and the inspection passed.**

- **Any concession with cooking facilities that produce a grease laden vapor shall be additionally required to have a class K fire extinguisher 13.6.5.3 provides for the protection of cooking media and shall be listed and labeled for Class K fires. Class K extinguishers manufactured after Jan 1, 2002 shall not be equipped with extended wand-type discharge devices. All fire extinguishers require a current Florida certification 69A-21.201.**

**8) Character Of Exhibits** - Exhibitor shall conduct business only within the confines of their space. Don't forget "Exit" signs if you have a tent with drop down sides. Smoking shall not be allowed in any tent of temporary membrane structure. Show management reserves the right to refuse any product that the show management deems does not meet these standards. Show management reserves the right to decline or prohibit any exhibit or proposed exhibit and/or to prohibit any activity at an exhibit that, in its opinion, is not suitable.

- 9) Staffing Of Exhibits** - Exhibits shall be manned during all show hours open to the public.
- 10) Hours Of Exhibit** - Show hours will be 10:00 a.m. to 5:00 p.m. Thursday thru Sunday. Show management reserves the right to alter the show hours without advance notice to exhibitors. Show management may require immediate evacuation of the show site including people and/or exhibitors in the event of dangerous weather or governmental interference, without liability.
- 11) Installation And Removal Of Exhibits** - Exhibits must set up prior to the opening of the show on the first day of exhibition. No exception will be permitted unless approved by Show Management. Setup dates are Monday through Wednesday, January 24-26, 2011 from 8:00 a.m. to 5:00 p.m... Dismantling of exhibits may begin after 5:00 p.m. the last day of exhibition. All products displayed must be removed from the grounds by 5:00pm on Monday, January 31<sup>st</sup>.
- 12) Care Of Exhibits** - Exhibitor is required to keep exhibit space neat and attractive. Packing materials must be taken to bulk trash disposal units, not trash receptacles. Homemade or handwritten signs are prohibited. Display may not create a visual block that will detract from adjoining displays. Excessive noise is prohibited. Promenade & Booth Vendors may not use staples on tables provided. Booth Vendors may not puncture, rip or damage in any other way draping in Main Tent. Damage to tables and/or draping will be repaired at Vendors expense.
- 13) Display Tents** - Any exhibitor who wishes to erect a tent in their display must utilize tents made of Fire Department approved material. Each tent shall have a Fire Department approval tag clearly stating the material meets Fire Department Specification #10.3.1 of the NFPA 101. Having tents with tags that state the material meets or exceeds tent industry standards is not acceptable. Tents without the proper tag will be tested by burning a piece of the material which must extinguish itself for approval. Any tents not meeting NFPA 101 Section 10.3.1 will be removed prior to show opening. All tents must be erected and ready for inspection by Wednesday, January 26, 2011 at 4:00 p.m.
- 14) Display Inspection** - Each and every display will be the subject of an inspection prior to show opening. Tents meeting Paragraph 13 specification and having fire extinguishers that are 5 lb. dry chemical will be inspected. Fire Extinguishers must have current dated inspection tags attached to the extinguisher. It is the responsibility of each exhibitor to assure show management that they will provide acceptable 5 lb. fire extinguishers in their display.
- 15) Water, Power And Security** - Show management will NOT provide water service. Electric service will be available to booth & promenade exhibitors. Public toilets and trash receptacles will be provided. Security will be provided, however exhibitor is expected to reasonably secure his own goods after show hours. Food concessions will be available. The show property will be secured by chain link fencing. Exhibitor is expected to provide trash receptacles for their own use.
- 16) Exhibitor Parking** - **All exhibitors and exhibitor employees must park their vehicles in the designated vendor parking area. Any exhibitors or employees found parking in the patrons parking areas will be expelled from the Show. Management will strictly adhere to this rule as patron parking is limited and the maximum number of available spaces are required to ensure maximum patronage.**
- 17) Exhibitor Identification** - Show management will provide exhibitor with identification badges for up to 5 employees for tent vendors and 10 employees for field vendors entering show grounds during show hours. Additional employee badges may be purchased by contacting Show Management prior to show opening. Identification badges shall be worn at all times. Misuse of personal identification badges will result in confiscation. Use of identification badges is not transferable.
- 18) Departure Of Exhibitor After Show Hours** - Exhibitor shall leave the show property by 6:00 p.m. and not enter the show property before 9:00 a.m. Security is authorized to detain anyone found on the show grounds between the hours of 6:00 p.m. and 9:00 a.m. Authorization by show management is necessary to be on the show property during these hours.
- 19) Use Of Music** - Any use of music either from tapes, CD's, audio/visual presentations, live entertainment or radio (over speakers) may require that you obtain permission for the use of that music under U.S. copyright laws. If you use music subject to the U.S. copyright laws, it is Exhibitor's responsibility to procure any and all necessary licenses or permission for the use of the music. Exhibitor agrees to indemnify and hold harmless Marine Industries Association of Collier County, Inc. from and against any and all claims, damages, losses and expenses, including attorney's fees, arising out of or related to Exhibitor's failure to comply with any and all applicable laws and regulations under the U.S. copyright laws.
- 20) Vehicles And Non-show Employees During Show Hours** - All vehicles and non-show employees must be out of show display areas by opening hours / 9:30am each day.
- 21) Sale Of Merchandise** - Cash and carry sales are permitted. Exhibitor is responsible for collecting and paying all applicable taxes. A receipt must be given to customer listing each item purchased. Boats, cars, RV's, trailers, and other such large items cannot be moved onto or removed from the property during the four days of the exhibition without Show Management prior approval.
- 22) Exhibits In Parking Areas** - Boats, trailers, cars, RV's or other displays are not permitted in the surrounding parking lots during the exhibition, unless expressly authorized by Show Management.

***Exhibitor's copy. Keep for your records.***

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