

What's the big deal with contracts?

A contract spells out who, what, why, when, and how much. Pretty simple stuff, except when you are dealing with multiple vendor services to produce a 200+ person event, and having those details in writing make it so much easier for both parties to know what is expected. The entertainment agreement spells out the date, time, and location of the act's performance venue so everyone in the act can be at the right place at the right time. Special setup times, additional personnel, music format, special requests, style of costumes, or break times could be specified in the text.

You should ask for a contract, because it is your written documentation that you reserved an Act for a date for a sum of money to play at a certain place during a definite time frame. If the Act doesn't show or doesn't fulfill its obligations, it is in "breach of contract" which carries some pretty stiff legal penalties. In addition, any Act that doesn't live up to its contract and causes problems will soon find itself on the vendors' black lists, ours first.

One bandleader puts it this way: "We are not interested in gambling on whether your event is going to actually take place. We can't ever go back and regain a lost performance night....we either work or don't work. If contracted, we are guaranteeing that no matter how many offers we have for your date, we will turn them down, because of our guarantee. We are simply asking for you to honor your guarantee that we will get paid." I like that explanation, and here is mine

Holding an entertainment Act for a date is a reservation. Like one made at a hotel, if you want to guarantee your room reservation, the hotel takes a payment or a charge card in advance. If you don't show, you pay for the room anyway. Booking an entertainment Act is much the same. No buyer wants his Act accepting another job for the night of your big event and not showing, so the Act becomes obligated via the contract, and must perform. But it is a bi-lateral contract, and buyers have obligations too.

From the time it is signed by both parties and the retainer is received, the Agency and Act issue calendars showing that act is booked for your date. They both decline other events for your date because the Act is on contract with you. If you decide to cancel your event a week or a month before that date, you must pay the Act anyway, since they have been reserved for your date for months, and turning down other offers. Our contract is generous in that it allows if the Agency or Act can find another booking for your date, then you may be released from your financial obligation. Keep in mind, however, that you booked the Act well in advance, and the odds are slim that another booking can be secured on short notice.

If your event is going to be outside, be sure to read those stipulations regarding electricity and alternate location. Adverse weather is the #1 problem affecting events. All that planning, lots of time and money invested, and here comes a storm. Most Acts carry \$25,000+ worth of equipment and instruments that could easily be ruined if a tent doesn't have sides to stop the rain. You really don't want to have to buy a band new equipment and instruments because you insisted on the band playing in a storm. We can plan for inclement weather, but sometimes, the situation is more violent than anyone can planned for. Today's digital electronic music gear is lightweight and powerful, but very sensitive to inadequate power voltage. If having an event outside, ensure the Act is provided a strong source of electricity. Our agents will review this with you.

The truth is, everyone wants the same end result, for the event to be successful and all the guests happily entertained. The band really wants to play, because exposure and referrals are their best source of future jobs. It's hard to impress a crowd if weather prevents an act from playing. We've had numerous cases of Buyers wanting the band to continue playing during a thunderstorm or lightning outside or under a tent. It is far more prudent to let Mother Nature take her course, and stop the performance, rather than be responsible for a guest or band member being injured by lightning or electrical shock. The act leader/manager will reluctantly "pull the plug" if the situation is bad enough, so make sure to have a sensible alternative plan.