

2019 Parade of New Homes CONTRACT June 13 – 16, 2019

A. Enter in the 2019 Parade of Homes

1) All Parade of Homes contracts and associated documentation must be submitted to the Home Builders Association of the Grand Traverse Area, Inc. (HBAGTA) office, located at 3040 Sunset Lane, Traverse City, Michigan by 4:30p.m no later than March 5th, 2019. By initializing each page & completing each document provided, you agree and adhere to the rules.

B. Parade Participation Contract and Fees

- 1) A signed contract and entry fee payment in full is required to enter into an agreement with the HBAGTA for home entry, advertising and promotional services related to the 2019 Parade of Homes. Fee is non-refundable.
 - A. An early registration received by November 1, 2018 is \$1,750.00.
 - B. Registrations received between November 2, 2018 and March 5th, 2019 is \$2,000.00.
- 2) Surety (Performance) Bond

A Surety (Performance) Bond of \$750.00 will be collected at the time of application. If no violations occur by the builder, a full reimbursement will be issued after the 2019 Parade of Homes event has been completed and all HBAGTA owned materials have been returned (signs, etc.). The Parade Builder has the right to appeal, in writing to the Board of Directors, whose decision shall be final. Failure to abide to the Rules and Regulations of the 2019 Parade of Homes contract will be considered a violation of this contract. Violations will result in the forfeiture of part, or the entire \$750.00 bond. Non-compliance with any section of the contract, by the Builder, may result in the automatic removal of the Parade Home from the 2019 Parade of Homes event and the forfeiture of the \$750.00 bond. Other violations of the Rules and Regulations set forth in this contract will be assessed as follows:

1 st Violation	\$ 200	(Total Penalty	\$ 200)
2 nd Violation	\$ 250	(Total Penalty	\$ 450)
3rd Violation	\$ 300	(Total Penalty	\$ 750)

- 3) The Parade of Homes Committee has sole discretion over the content of advertising and promotional services provided in conjunction with the Parade of Homes. The Parade of Homes Committee reserves the right to edit any tour guide submissions that do not meet the HBAGTA standards of quality, integrity and ethical business practices.
- 4) Parade contracts and associated documentation must be received by the March 5th, 2019 deadline or a \$500 late submission fee will be contractually charged. The HBAGTA reserves the right to reject any contract submitted after the contract deadline, even those accompanied by late submission payments.

C. New Home Parade of Homes Dates and Hours of Operation:

Thursday, June 13	12:00 noon - 8:00 p.m.
Friday, June 14	12:00 noon - 8:00 p.m.
Saturday, June 15	9:00 a.m 7:00 p.m.
Sunday June 16	11:00a.m 4:00 p.m.

D. Parade of Homes Mandatory Builder Meeting: Attendance is required!

1) A Builder Meeting will take place on Wednesday, May 1st at 5:30 p.m. at the West Bay Beach Holiday Inn in Traverse City. Important information and maps will be reviewed. The Parade home Builder and/or a representative of the company is required to attend.

E. Builder Eligibility Requirements:

- 1) Builder must hold an individual Michigan Residential Builder license which is current and valid.
- 2) Builder is required to have 2 years in business under the current company name.
- 3) In the case of an LLC, Sole Proprietorship or Corporation, the Resident Agent/Qualifying Officer of that entity must hold an individual Michigan Residential Builder license which is current and valid.
- 4) Builder or Resident Agent of a Builder's LLC, Sole Proprietorship or Corporation must be the signatory on the contract.
- 5) Builder must be a member in good standing of the HBAGTA.
- 6) Builder entering into this contract states that he/she is the owner of the home plans and/or has exclusive rights, including that of copyright, to construct the home.
- 7) Builder agrees to defend, indemnify and hold harmless, the HBAGTA, including its officers, directors, employees and agents from any and all claims of third parties, including, but not limited to, copyright infringement or conversion, which may be asserted as a result of the inclusion of the home in the 2019 Parade of Homes, or the inclusion of drawings or floor plans of the home in any printed or electronic publication of the HBAGTA, publicizing or in conjunction with the 2019 Parade of Homes.

F. Subcontractors, Suppliers & Builder Agents

- 1) The HBAGTA encourages Builders to exclusively utilize HBAGTA member subcontractors and suppliers for Parade homes.
- 2) Sub-contractors and Suppliers must be current HBAGTA members to market themselves and/or their products during the Parade at the Parade home. *Allowing non-members to participate or advertise is considered a violation of this contract.*

G. Final Inspection and Certificate Deadlines:

- 1) All Builders must submit the following documents by 4:00 p.m., Thursday, June 6th, 2019.
 - a. Temporary or Final Certificate of Occupancy.
 - b. Certificate of Insurance for the Parade Home providing Commercial General Liability Insurance and naming the Home Builders Association of the Grand Traverse Area, Inc. as additional insured. The coverage limits shall be not less than \$1,000,000 per occurrence and \$2,000,000 aggregate.
- 2.) A final inspection of all Parade Homes will take place on Friday June 7th, 2019 by a representative of the Parade of Homes Committee.

H. Parade Rules and Regulations:

- 1) Every Parade Home is intended to be a new home. The HBAGTA is allowing new homes, with COO received within 2019 to be eligible as a 2019 parade home.
 - a. Homeowners in occupied homes must sign the attached 2019 Pre-Sold Parade Home Buyer/Homeowner Release Agreement Form prior to the opening of the Parade.
 - b. Homeowners in these occupied homes must also agree to vacate the premises during the entire Parade, June 13 through June 16 and agree to allow their home to be open to the public throughout the Parade of Homes.

- 2) New homes that were previously featured in a Parade of Homes may be re-entered into the 2019 Parade of Homes.
 - a. The 2019 Parade of Homes Tour Guide will notate those homes which were previously entered.
 - b. Re-entered homes will not be eligible for any Judging and People's Choice Awards.
 - c. Previous year awards may be displayed in the garage sales area only.
- 3) Parade homes must be open to the public throughout the entire Parade of Homes designated days and hours.
- 4) Home Exterior: The Builder will provide finished sidewalks and driveways, and shall have all siding, painting and/or brick on the exterior of the Parade Home(s) completed. The front yard will be landscaped with a "finished" look, seeding or sod is required, with the rear and side yards in the final-grade stage so the home is accessible and safe. Any exceptions to this rule must be reviewed with the Parade Committee.
- 5) Home Interior: The Builder agrees that **the entire** interior finish shall be in place and interior painting shall be completed. Floor coverings shall be installed, and all fixtures shall be in place. *There must be no unsightly storage*.
- 6) Any portion of the home that is intended to be finished by Parade that has already been started prior to Parade, needs to be completed in order to be judged and opened to the public.
- 7) Furniture: The Builder has the option of showing the Parade Home furnished, partially furnished, or unfurnished.
- 8) Home Features: The Builder agrees to provide a listing of features and details of their Parade Home(s) for the general public.
- 9) During the hours of operation, the HBAGTA requires the Builder or on-site builder representative to have a phone so that the HBAGTA or Parade Committee members can contact that home.
- 10) The Builder shall not require the public to remove their shoes before entering a Parade Home, with the exception of pointy heeled shoes. The Builder may use runners on the floor and/or **provide shoe covers** to protect the floor coverings. Shoe covers are the responsibility of the Builder and may be purchased at many medical supply companies.
- 11) The Builder will provide a table and two chairs to adequately accommodate the non-profit personnel working at the home, selling tickets and providing information to the public about the home and Builder.
- 12) The Builder will provide additional seating for the public and a functional shoe covering container (if applicable) at the home entrance.
- 13) The Builder may use the garage as a sales area to promote their business or that of the HBAGTA member sub-contractors and suppliers who participated in the construction of the Parade home. Sub-contractors and Suppliers must be HBAGTA members to market themselves and/or their products during the Parade.
- 14) The Builder agrees that all interior signs located in living areas of the home will be no more than 12 x 14 inches. No individual price tags will hang from products within the Parade home. Product and price lists are acceptable. It is up to the Builder to "police" their Parade home for compliance.
- 15) The HBAGTA will provide a large white numbered Parade of Homes sign for each Parade home. It is the builder's responsibility to pick up the sign from the HBAGTA office and return the sign within 1 week following the Parade.
- 16) The Builder understands that no yard signs will be posted at the Parade property during the Parade except the large white numbered Parade sign provided and the real estate sign (if applicable). The real estate sign cannot exceed 2 X 3 feet.
- 17) The Builder agrees not to allow any other form of promotion of events, properties or items at the Parade home throughout the event. These promotions include, but shall not be limited to: Realtor open houses, non-profit events, and/or the sale of property, products by individual schools, churches or other organizations.

- 18) Alcohol is strictly prohibited on site at the premises of the Parade home(s) during operating hours of the Parade.
- 19) The Builder is to notify all neighbors in the immediate area of the home being shown (any neighbor that may be affected by Parade traffic) no less than 2 weeks before the Parade.

I. Builder Provisions:

- 1) The Builder will receive a full-page color display page in the 2019 Parade of Homes Tour Guide. See <u>Addendum A</u> for display page requirements and information on submission of Parade home information.
- 2) Builder contact information shall include address, phone and website. The HBAGTA member company/contact is the name that will be published and recognized in all official Parade of Home marketing.
- 3) The Builder's project will be displayed on the HBAGTA website.
- 4) The Builder will receive one large number specific Parade yard sign. Additional signs may be provided upon request and based on HBAGTA discretion.
- 5) The Builder will receive twenty (20) complimentary 2019 Parade of Homes tickets for the builder's use in promoting the event. Additional tickets can be purchased by the builder at 50% off.
 - a. Stacking of ballots is prohibited! Builders should encourage ticket holders to vote for their favorite home in each category.
- 6) The Builder will be provided with volunteer personnel to host the home during the event.
- 7) The Builder will receive a discounted price of \$500.00 for advertising purchased on the page adjacent to his/her display page in the Parade of Homes Tour Guide.

J. Required Tour Guide Submission Materials for a Parade Home:

- 1) See **Addendum A** for information on submission of Parade home information.
 - a. NOTE: Home price category is listed "AS IS" without land.

K. Substitutions:

1) Parade home entries may be substituted by the builder provided that a payment of \$500 is included with the new entry details. The builder may also be billed an additional amount to cover the actual costs incurred for having to recreate advertising materials. No substitutions allowed after May 10th, 2019.

L. Withdrawal of Entry:

- 1) If a builder has signed the HBAGTA Parade of Homes contract, paid the applicable fees and has decided to withdraw, the Builder must submit in writing to the HBA Parade of Homes Committee providing the reason for withdrawing from the 2019 Parade of Homes.
- 2) There will be no refund of entry or advertising fees paid.
- 3) The Builder may be responsible for additional costs incurred by the HBATA for advertising material modifications and to notify the public, volunteers and other stakeholders about the withdrawal of the entry.

M. Parade Tour Guide Review and Approval of Copy:

- 1) The 2019 Parade of Homes Tour Guide proof will be available for review on May 15th, 2019 at the Home Builders Association office between the hours of 9:00 a.m. and 4:00 p.m. and available by email.
- 2) Each participating Builder is required to review the 2019 Parade of Homes Tour Guide and sign off with approval <u>at</u> the HBAGTA office. Those who do not review their submission accept the materials as prepared without expectation of revisions, after the printer's deadline.

3) Neither the HBAGTA nor its employees, agents or representatives will be liable for any damages related to misprints, errors or omissions that may occur on the Builder pages or within the advertising appearing or failing to appear within the publication. The HBAGTA will not be held responsible for any misprints, errors or omissions of the printer after the Builder or Advertiser proof review has been completed.

N. Award Judging:

- 1) Final inspection by a representative of the Parade of Homes Committee will be on Friday June 7th. The Parade of Homes entries will be pre-judged by independent judges on Monday June 10th and/or Tuesday, June 11Th, 2018. *The builder or representative from the company must provide entry into the home at the pre-scheduled time*. The HBAGTA will present all category winners with recognition certificates in advance of the opening of the Parade of Homes or shortly thereafter. Categories include:
 - a. Master Suite
 - b. Interior Design
 - c. Kitchen
 - d. Exterior Design
 - e. Craftsmanship
 - f. Judges Choice (Extraordinary detail, design, quality and perceived value)
- 2) The public will vote for the People's Choice in each category during the Parade of Homes.
- 3) Awards will be presented at an Awards Ceremony and/or the winners may be notified in writing and the awards presented in person. A press release will be distributed.

O. Failure to Abide by Rules:

- 1) Failure to follow the agreements established in the Parade of Homes contract may result in a loss of participation privileges for up to two (2) years as recommended by the Parade of Homes Committee and approved by the Board of Directors. The Builder has the right to appeal, in writing to the Board of Directors.
- 2) Depending on the violation, an independent third party group may be consulted.
- 3) Failure to abide by the Parade of Homes contract will be considered a violation of this Contract. Non-compliance relative to necessary signatures, waivers, agreements, Certificates of Occupancy, or Certificate of Insurance will result in automatic withdrawal from the Parade of Homes.

P. Misunderstandings or Disputes:

- 1) The requirements contained within this Contract are discretionary with the HBAGTA. The Board of Directors is responsible for determining Contract compliance. The Board of Directors shall be the authority in resolving disputes regarding this Contract.
- 2) Any further contested decisions are to be resolved through mediation or with legal counsel in Grand Traverse County, Michigan. The Builder is responsible for any fees or costs incurred by the Association in enforcing this Contract and resolving disputes.

Q. Security

1) Builders shall be solely responsible for security of their Parade home, both during construction and during Parade of Homes.

R. Contract Conditions:

1) This Contract shall be binding upon both the HBAGTA and the Builder for themselves or any entity they represent, their successors and assignees.



2019 Parade of Homes Contract Agreement Form

June 13 -16, 2019

I, the undersigned, have read and understand the Contract for the 2019 Parade of Homes. I further pledge that I am legally qualified to enter into this agreement for myself as an individual, or for my company as Qualifying Officer or Resident Agent. I hereby agree to all stated timelines, terms and conditions of the contract.

Parade Builder Company Name:			
Parade Applicant Name:			
Company Street Address:			
City:	State:	Zip:	
Phone:	Cellular:	Emai	1:
Parade Home Address(s):			
1. Street:	City:	Zip:	Amount Due:
2. Street:	City:	Zip:	Amount Due:
3. Street:	City:	Zip:	Amount Due:
		Tota	l Amount Due: \$
Check #			
Credit Card #		(Visa	or Master Card only)
Name on Card:		Exp. Date:	_/ V Code:
Address Affiliated with Card:			
City:		State:	Zip:
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		~	
Builder's Signature:		Date:	
Acceptance by HBA:			
Office Use Only: Invoice #	Date	Processed:	By:

2019 Parade of Homes Contract will not be accepted without signature(s)

**DUE DATE: NO LATER THAN MARCH 5, 2019** 



## 2019 Parade of Homes Contract

June 13 -16, 2019

#### **DEFENSE & HOLD HARMLESS WAIVER**

The Home Builders Association of the Grand Traverse Area, Inc. accepts no responsibility for the sale of any Parade Home. Furthermore, the Home Builders Association will not be held responsible for any damage which may occur in connection with the public or private viewing of the Parade Home.

The Builder as a Sole Proprietor, Partnership, or Qualifying Officer of a Corporation, further agrees to defend, indemnify and hold harmless the Home Builders Association of the Grand Traverse Area, Inc. from any damages or costs stemming from such threatened liability and to indemnify the Home Builders Association of the Grand Traverse Area, Inc. in the event liability is found. The only exception to the Builder obligations to defend, indemnify and hold harmless the Home Builders Association of the Grand Traverse Area, Inc. is if there is found to be the sole cause of said damage.

By the signature(s) below, the Builder certifies that he/she has carefully read the 2019 Parade of Homes Contract, Defense & Hold Harmless Waiver, and Parade Home Readiness Criteria. In addition, if the home has been pre-sold a Pre-Sold Parade Home Buyer/Homeowner Release Agreement Form must be signed and submitted.

Parade Builder Company Name			
Parade Applicant Name:			
Company Street Address:			<del></del>
City:	State:	Zip:	
Phone:	Cellular:	Em	ail:
Parade Home Address(s):			
1. Street:	City:		Zip:
2. Street:	City:		Zip:
3. Street:	City:		Zip:
The B	City:  Builders License must be current ar  Expiration	nd verified prior to (	Contract acceptai
The B Builders License #:	Builders License must be current ar	nd verified prior to C	Contract acceptai
The B  Builders License #:  Signature:  If Corporation or LLC, please p	Builders License must be current at	nd verified prior to ( on Date:  Date:	Contract acceptai

2019 Parade of Homes Contract will not be accepted without signature(s)



## 2019 Parade of Homes Contract

June 13 -16, 2019

## HOME BUYER / HOME OWNER RELEASE AGREEMENT FORM

#### Participation Rules for Homeowners

- 1. I understand that we the homeowners or family members agree to vacate the premises during the entire Parade of Homes weekend and agree to allow my home to be open to the public throughout the Parade of Homes, taking place June 13, 14, 15 & 16.
- 2. I understand that a photo of my project will be published in the Parade of Homes Tour Guide and on the HBAGTA website.
- 3. I understand that my builder will be at the home during all hours of the Parade of Homes as well as a non-profit staffing group.
- 4. I understand that if my builder withdraws from the Parade of Homes after the assigned deadlines, or does not open my entry by the opening day and time of the Parade of Homes, their entry fee will not be reimbursed and possible additional financial penalties may occur.
- 5. I understand that consumption or serving of alcoholic beverages is not permitted at Parade Homes during Parade of Homes designated days.
- 6. I agree not to publicize the project entered to the media to hold a public open house prior to the Parade of Homes prior to the opening of the event or during the event.
- 7. I agree not to advertise or promote any vendors, subcontractors and/or suppliers within the premises of my home that are not members in good standing of the Home Builders Association of the Grand Traverse Area.
- 8. I understand valuable items or irreplaceable items should not be left in the home and items that may endanger the safety of the public should be locked in an appropriate place that is inaccessible to all but the Buyer/Homeowner.

(homeowner(s)	, hereby agree to allow my home
to be entered in the 2019 Parade of Homes and agree to abide by all participates	pating rules. I understand my home will be open to
the public during the following days/hours:	
• Thursday, June 13, 2019 12:00 noon – 8:00 p.m.	
• Friday, June 14, 2019 12:00 noon – 8:00 p.m.	
• Saturday, June 15, 2019 9:00 a.m 7:00 p.m.	
• Sunday June 16, 2019 11:00a.m 4:00 p.m.	
Will permit the builder,to  Home Owner Signature	
Home Owner Signature	Date
Phone Number:	_
Parade Home Address: City	Zip
Builder's Signature:	Date:

2019 Parade of Homes Contract will not be accepted without signature(s)



## <u>ADDENDUM A – Checklist (1 per home)</u>

2019 Parade of Homes Tour Guide Information Request

BUILDER NAME			
PARADE HOME ADDRESS			
		PLEASE PI	RINT
CITY, STATE, ZIP			
ENTRY TYPE (CHOOSE ALL THAT APPLY)	□ Single Family       □ Green Certified / Verified         □ Condo / Multi-Family       □ Waterfront		
HOME INFORMATION		DEADLINE	HBA USE
	# OF BEDROOMS		
	# OF BATHROOMS	_	
	TOTAL SQ FT OF FINISHED AREA		
	MAIN FLOOR SQ FT	1	
	UPPER LEVEL SQ FT	MADOU 5 2010	
	LOWER LEVEL SQ FT	MARCH 5, 2019	
	TOTAL SQ FOOTAGE OF	-	
FAIR MARKET VALUE	FMV "AS IS" WITHOUT LAND	-	
HOME PRICE INFORMATION	SELLING PRICE		
PROJECT DESCRIPTION AND INFORMATION CHECKLIST	Submit the following information electronically to sara@hbagta.com  □ Description of home with a maximum of 210 characters □ High resolution company logo □ High resolution photo of Parade home □ High resolution photo of non-dimensional floor plan □ Hand drawn site map showing the nearest major crossroads or landmarks. The address must be clearly noted. □ Calendar marked for Builder Meeting, May 1, 2019	May 1, 2019	
IS HOME SOLD?	☐ YES ☐ NO ☐ IF YES, completion of Release Agreement Form required!	March 5, 2019	
BUILDER AD PAGE	☐ YES ☐ NO ☐ ARTWORK SUBMITTED	May 1, 2019	
ADDITIONAL ADVERTISING	☐ YES ☐ NO ☐ ARTWORK SIZE:	May 1, 2019	
COO & COI	☐ Certificate of Occupancy ☐ Certificate of Insurance	June 6, 2019	
	Use additional sheets as needed to add additional sub  All information is to be submitted to SaraJaved a  INCOMPLETE INFORMATION OR INFORMATION S  DEADLINES ARE SURJECT TO THE \$5	t sara@hbagta.com SUBMITTED AFT.	l



## 2019 Parade of Homes Contract

#### CALENDAR OF EVENTS

#### March

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5 Contract, Payment & Information Due Date	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

#### May

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Mandatory	2	3	4
			Builder			
			Meeting 5:30-			
			7:30pm West Bay			
			Holiday Inn			
			Builder Ad			
			Due for Tour			
			Guide			
5	6	7	8	9	10	11
12	13	14	15 Tour Guide	16	17 Remodeled	18
			Review &		COO & COI	
			Sign-off		Due	
19	20	21	22	23	24	25
26	27	28	29	30	31	

#### June

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6 New Home COO & COI Must be turned in to HBAGTA	7 New & Remodel Home Final inspection by Committee Member	8 Remodeled POH 9-7pm
9 Remodeled POH 11-4pm	10 Judges visiting New Homes	11 Judges visiting New Homes	12	<b>13</b> POH 12-8pm	<b>14</b> POH 12-8pm	<b>15</b> POH 9-7pm
<b>16</b> POH 11-4pm	17 Return White Home Signs	18	19	20	21	22
23	24	25	26	27	28	29
30						