



**Home Builders Association of St. Joseph Valley  
2019 Fall Showcase of Homes**

**PARTICIPATION AGREEMENT**

This agreement is made for the participation in the 2019 Fall Showcase of Homes hereinafter referred to as "Showcase" between the Home Builders Association of St. Joseph Valley, a non-profit corporation, whose address is 105 E. Grove Street, Mishawaka, IN 46545 hereinafter referred to as "HBASJV" and Builders Showcase Entrant, as identified on the Information Page that follows and hereinafter be referred to, in this agreement as "Participant" or "Builder".

**EVENT DETAILS:** The Home Builders Association of St. Joseph Valley (HBASJV), represented by the Showcase Committee, will present a Builders Showcase ("Showcase") in October 2019. This show will feature homes which are of excellent design, workmanship and appeal to the public touring the homes.

The Showcase will occur throughout Michiana on:

- Saturday October 19<sup>th</sup> 1-6pm
- Sunday October 20<sup>th</sup> 1-6pm

**1. Participation / Criteria**

- Participant must be a single Builder Member as defined by the HBASJV Bylaws and an active participant in the Indiana Quality Assurance Builders Standards Program.
- Participant must have been a member of good standing prior to application, and shall not be in a state of suspension, be delinquent in dues or other monetary obligations to the HBASJV from the time of signing the contract through the Showcase. The HBASJV Board of Directors has the right to waive the membership requirement at its sole discretion.
- Participant must provide, according to the established "Participation Deadlines", a Certificate of Insurance as described in section 3 below.
- Homes completed in the 12 months prior to the date of the Showcase shall be eligible to be enrolled. Homes cannot have been part of a previous HBASJV Spring Builders Showcase or Fall Showcase.
- Participant may enter multiple homes in the Showcase. An additional Participation Agreement and Entry Fee shall be required for each home.

The Showcase Committee and the HBASJV Board of Directors reserves the right to accept or deny any application. Questions regarding the eligibility of a home should be directed to the Showcase Committee and or the HBASJV Board of Directors. Builders will agree that if Builder fails to comply with this entire agreement, they may be declared ineligible to participate in this, and future Showcases.

**2. Decisions and Arbitrations**

The Showcase Planning Committee shall have the right to decide all questions concerning the general conduct and day-to-day operation of the Showcase.

**3. Insurance**

Builder/Participant agrees that they are responsible for insuring the site and the building are maintained in a condition that is safe for entry of the general public. They further agree to provide the HBASJV a certificate of insurance showing general liability limits of \$1,000,000 each occurrence and \$2,000,000 aggregate listing the Home Builders Association of St. Joseph Valley as an additional insured on a primary and non-contributory basis, and an umbrella policy with a \$1,000,000 limit. The certificate must be provided with the application.

#### **4. Liability, Indemnification and Hold Harmless**

HBASJV and Participant agree to indemnify and save each other harmless from and against all claims, losses, costs, damages, expenses, and liabilities for bodily injury, death on property damage, without limitation, attorney's fees, statutory liabilities, and obligations under workmen's compensation laws, arising out of or in connection with any and all transactions and occurrences on or about the "Participants" Builders Showcase entry, regardless of cause. "Participant" and "HBA" mutually waive any right of subrogation which either might otherwise have against the other to the extent that the loss in question covered by insurance, render such insurance coverage void, ineffective or unenforceable. However, provided further, neither Home Builders Association of St. Joseph Valley nor Participant Firm waive any right of subrogation, whether or not the loss is covered by insurance, as to any loss or damage cause either by any (1) act of omission of a person other than Participant Firm, the Home Builders Association of St. Joseph Valley and respective officers, partners, participants employees, agents, assigns, representatives, agreementors, and subagreementors, or (2) by an intentional, dishonest, fraudulent, malicious, or criminal act or omission of any person. In the event a claim is made as to which subrogation has not been waived, Participant Firm and Home Builders Association of St. Joseph Valley mutually agree to execute and deliver any documents, instruments and papers, and to do any other reasonable act requested by the other as necessary to secure and maintain such right of subrogation.

#### **5. Dates**

The dates of the Builders Showcase are October 19<sup>th</sup> and 20<sup>th</sup> 2019.

#### **6. Viewing Hours**

Builder agrees to keep their Showcase house open to the public during the hours designated by the committee. Hours are 1pm to 6pm on Saturday and Sunday. Builder shall have a representative for their firm at the site during those hours.

#### **7. Completion and Inspection**

Builder agrees house will be ready for inspection 3 days prior to the opening of the Showcase (Wednesday, October 16<sup>th</sup>). "Ready for inspection" is defined as being able to pass the items listed in the accompanying form, "***Guidelines for Completion***". Inspection will be completed by a Licensed Home Inspector (provided by HBASJV) prior to the event to determine completion. Builder agrees that if the home does not pass inspection 3 days prior to Showcase, it will be closed to public viewing until any failed items have been corrected. Any questions regarding disqualification for the event shall be directed to the Showcase Committee.

Any Showcase home that is not suitably completed, per the "***Guidelines for Completion***", by the date of final inspection, may be declared ineligible by the HBASJV for display as an entry in the Builders Showcase. The Showcase Committee shall make all eligibility determinations based on the Home Inspector's report.

#### **8. Accessibility**

Homes enrolled in the Showcase must be located on all-weather roads and be accessible to passenger cars. Parking and turn-around areas must be available for large numbers of automobiles. If location cannot meet the above, a plan must be submitted with application for traffic flow for approval from the Showcase Committee. Pedestrian access must be safe and pathways to home must be clear of all debris and safe for foot traffic. The Showcase Committee shall make the determination if a house is accessible or not based on the recommendation of the Home Inspector.

#### **9. Pre-sold Homes**

Pre-sold, custom, condo, or spec houses shall be eligible, but in the case of a pre-sold unit, the home may not have been occupied at any time prior to, or during the Showcase dates. Participant can request an exception at the time of application for entry. Request for an exception must include written permission from the occupant and additional liability certification documentation may also be required.

## 10. Clean-up

Builder agrees to remove any trash and building debris from the site and to thoroughly clean up the entire property, exterior and interior on a daily basis as required during the Showcase.

## 11. Security

Builder shall be solely responsible for security of its Showcase home and property both during construction and during the Showcase.

## 12. Subcontractors and Suppliers

HBASJV always encourages members to **“Do Business With a Member!”** Builders are permitted to use any subcontractor or supplier they choose, however, HBASJV **encourages Builders to exclusively utilize HBASJV member suppliers and subcontractors** for Showcase Homes.

## 13. Interior Signage

All interior signage and displays are allowed at the discretion of the Builder, however, HBASJV encourage signage, displays and other promotion of members in good standing with the Association. HBASJV Member Sub-Contractor and Suppliers displays should be prepared and presented in a professional manner. Special advertising by non-member companies/individuals will be subject to Showcase Committee approval and may incur an additional fee.

## 14. Exterior Signage

HBASJV will provide Showcase branded signs for use during the Showcase to designate the Showcase home site. HBASJV signs must be displayed at each Showcase home. The Builder also has the right to display their own sign with their logo and information. All other exterior signage is at the discretion of the Builder, provided that the signs are that of an HBASJV member of good standing.

It will be the responsibility of the Builder to place Directional Signs in accordance with county and neighborhood guidelines, but in a manner that will optimize visibility and guide the visiting public toward Showcase homes. It will be the responsibility to collect all HBASJV and Showcase signs and stakes after the Showcase concludes and return them to the HBA Office on or before the Showcase wrap-up meeting.

If the property is “for sale”, (the property must be listed on the South Bend/Mishawaka Multiple Listing Service) a real estate sign may be displayed in the yard. All exterior signage control will be done at the discretion of the HBASJV with the cooperation with the Builder.

## 15. Entry Fee

For participation of home as an official entry in the Showcase, Builder will pay to the HBASJV an entry fee for each home submitted at the time of submission of the signed agreement. The fee is non-refundable after acceptance into the Showcase.

**2019 Fall Showcase Entry Fee is \$1,200.00. Each additional entry by the same participant will be discounted by \$200 up to a maximum discount of \$400.** (For example: First entry = \$1200, Second entry = \$1000, Each additional entry = \$800).

**Payment should accompany this application unless previous arrangements have been made with the HBA Office.** Participation fee, along with all signed agreements must be submitted to the HBA Office according to the *“Fall Show 2019 Checklist and Deadlines”*.

## **16. Acceptance**

Builder agrees the Showcase Committee will have a 2-week period to accept or reject their application and within that time has the discretion to provide return of the entry fee without a penalty or prejudice.

## **17. Advertising**

All media and print advertising related to the Showcase will be performed with the authorization of the Showcase Committee. Builder agrees it has no authority to accept or reject proposed advertising. All advertising will be subject to the deadlines imposed by the Committee. Builder submittals, e.g. biographies, pictures, etc. must be received by any deadlines set forth.

## **18. Admission**

There shall be no admission charge to the general public. Tickets will not be required. The use of surgical booties / disposable shoe covers should be encouraged. Bare feet or spike heels shall not be allowed. Pets, strollers, beverages or food should be discouraged in the Showcase homes, however, it is the sole responsibility of the Builder and staff to enforce these admission policies.

## **19. Incorporation of Additional Policies**

Any additional policies or procedures of Showcase Committees and/or the Board of Directors will become part of this agreement as if incorporated in full herein.



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PARTICIPATION APPLICATION

Please complete and sign this form as an acknowledgement that you have read and understand the Showcase Participation Agreement. For additional entries, you may duplicate this form and complete the Showcase Home Entry section only.

This form may also be completed online at: www.hbasjv.com/Showcase-Entry-Form

Builder Information as you would like it to appear in all marketing materials:

Builder's First and Last Name:

Company Name (must be an HBASJV member in good standing):

Company Mailing Address:

City / State / Zip:

Company Phone: Company Website:

Primary Company Contact for public inquiries:

(If different than Builder above)

Participant Contact Information for the HBASJV Showcase Committee:

Showcase Contact Phone: Showcase Contact Email:

The signatures below indicate the acceptance of and agreement to the parameters as set forth in the Participation Agreement for the 2019 Fall Showcase of Homes.

Signature of Participant Representative

Signature of HBASJV Representative

Printed Name of Participant Representative

Printed Name of HBASJV Representative

Date:

Date:

Showcase Home Entry Information

Street Address of Entry:

City / State / Zip:

Subdivision: Lot Number:

Style of Home: Type of Home: (i.e. Traditional, Transitional, Craftsman, etc.) (i.e. Single Family, Townhome, Condo, etc.)

Estimated Price: Total Square Footage: # Bedrooms # Bathrooms