



AGREEMENT

This agreement, together with any attachments (the “Agreement”) is entered between _____ (the “Fest/Festival Host”) and _____ (the “Contractor”).

Obligations of Parties

The Contractor agrees to perform the following work for the Fest/Festival Host:

The Fest/Festival Host agrees to pay the Contractor \$ _____ for the above-described work.

The dates and times of the Contractor’s work will be in accordance with the rehearsal and concert schedule furnished to the Contractor by the Fest/Festival Host. In the case of inclement weather, the Pennsylvania Music Educators Association (“PMEA”) may reschedule the Fest/Festival to be held on alternative dates. Such alternative dates will be listed on the rehearsal schedule furnished to the Contractor by the Festival Host.

Independent Contractor Relationship

The relationship of the Contractor to the Fest/Festival Host and PMEA is an independent contractor relationship. Nothing in this agreement shall be construed to create any other type of relationship between the Contractor, the Fest/Festival Host, and/or PMEA. The Contractor shall comply with all relevant laws and assume all risks incident to the work performed.

Indemnification

The Contractor agrees to pay the Fest/Festival Host and/or PMEA for any loss that is caused by the negligence or intentional misconduct of the Contractor or by the Contractor’s failure to perform its obligations under this Agreement. But the Contractor need not pay for any loss that is caused by the negligence or intentional misconduct of the Fest/Festival Host and/or PMEA. “Loss” means an amount that the Fest/Festival Host or PMEA is legally responsible for or pays for in any form, including, for example: a judgment, a settlement, a fine, damages, staff compensation, a decrease in property value, and expenses involved in defending against a legal claim. A loss is “caused” by an event if the loss would not have occurred without the event, even if the event is not the primary cause of the loss.

Cancellation

Either party may cancel this agreement, but only due to circumstances beyond the party’s control. Documented proof of the circumstances is required for cancellation. In the event of any cancellation of this Agreement, the cancelling party shall notify the other party at the earliest possible time. Proper cancellation relieves both parties of all obligations.

Signature of Contractor/Representative

Date

Signature of Fest/Festival Host/Representative

Date

PMEA District/Region