

DEMONSTRATION AGREEMENT

WHEREAS, the City of Ventura ("City") is interested in the loan of a Demonstration ("Demo") unit in order to test the form, fit and functionality of a _____ ("equipment");
WHEREAS, _____ ("Vendor") offers a Demo unit to agencies/organizations for the purpose of testing the form, fit and functionality of the equipment;

For good and valuable consideration, the Parties agree as follows:

1. Vendor will provide to the City (___) unit(s) of equipment for the purpose of the City's evaluation. All units shall be new, in good working condition and include standard commercial warranties.
2. The City shall have no obligation to purchase this equipment or pay for rental fees or any other charges for the temporary use of this equipment, or to make any other purchases.
3. Vendor shall retain all right, title and interest in and to the equipment, including any intellectual property rights thereto. The City shall have risk of loss concerning the equipment but only while it is in the City's possession. For the purpose of risk of loss, the value of the equipment shall be its standard commercial list price less any applicable discount available from the Vendor.
4. Demo periods will be for a limited time period and the unit must be promptly returned to Vendor upon written (e-mail) request, but not later than _____ (date).
5. When returning equipment, City will ship or deliver the equipment to Vendor per Vendor's request, at Vendor's cost.
6. This Agreement constitutes the entire agreement of the Parties regarding the subject matter of the Agreement and supersedes all previous agreements, proposals, and understandings, whether written or oral, related to this subject matter.

The Parties hereby enter into this Agreement as of the last date indicated below:

City of Ventura _____ (Vendor)

Name: _____

Signature: _____

Title: _____

Date: _____

Name: _____

Signature: _____

Title: _____

Date: _____

APPROVED AS TO FORM:

Greg Diaz, City Attorney

Per Ordinance No. 2012-012, Section 4.600.050.1

By: M. Rebeca Mendoza
Assistant City Attorney