



# Contract Terms:

## WHY FLORISTS CAN'T AFFORD TO GET THIS WRONG

### PANEL CLIFF'S NOTES:

- Personal Touches: Really listen to their interests and lives and incorporate that into the contract.
- Be professional and polished with your client. Visual elements that are high-quality will sell better to the client.
  - Pro Tip: Add photos to the Inspiration Gallery in Details that highlight your style and expertise.
- If you are not organized, the client will not believe you are organized! Create systems to show off professionalism.
- It's all about the "details!"
- You will need to convey your expectation levels in your terms. Communication is key.
- Contract Terms are how you protect your event.
- **GET THE OPINION OF YOUR ATTORNEY WITH YOUR CONTRACT TERMS.**
- The Top 10 Contract Terms are:
  - Substitutions
  - Rental Items
  - Photography
  - Balance Due
  - Form of Payment
  - Payment Schedules
  - Retainer & Fees
  - Termination by Client
  - Artistic License
  - Labor & Delivery
- The 6 Most Overlooked Terms are:
  - Use of Electricity Circuitry
  - Children & Pets
  - Cake Florals
  - Structures
  - Health & Safety
  - Venue Restrictions
- 51% of florists do not have a Force Majeure clause.
- Many florists added a Rescheduling Clause due to COVID
- Non-negotiable terms would be: Retainer, Artistic License, & Reschedule



- You may edit Terms and Conditions due to certain clients. Don't be afraid to enforce your contract if you start seeing red flags.
- The client doesn't want to show their face in the photos? Photographers will usually only release certain photos. You can add the clause to bring your own photographer just to photograph the flowers. Any other photos will need to have permission and credit.
- A client cannot sue for more than what the contract is worth!
- Deadline for design modifications:
  - Elizabeth Fisher - 30 days out to 2 weeks. You cannot take away but you can add.
  - Justine Chapura - 30 days out to 2 weeks. If a planner is involved, there is a bit more leeway.
- Exclusivity Clause:
  - Communication is key with clients who are requesting more than one party involved.
- Inclimate Weather Situations:
  - When there is a government mandate where they do not suggest travel, companies will not travel and give no refund.
- As the wedding is approaching, this is the time to bring and enforce Contract Terms. It is not best practice to bring it up on the first consultations.
  - Recommend insurance for the event if there is a major weather concern!
- Do not ever guarantee blooms to clients, you never know what will happen during ordering/shipment. Substitution and Artistic License clauses will aid in this protection.
  - It is all in how you sell the concept to your client! Be delicate but matter-of-fact when in conversation with the client.
  - "Under-promise and over-deliver." -Maggie Bailey
- Have a clause about extra time for the event. Include finalized appointment with the timeline. Let them know if there will be fees associated with the strike.
- Handling Personal Items: The client brings items to a venue and then it is added to the design. Have an additional form for personal items releasing florists from liability.
- Communicate ahead of time with the client on what they would like to happen with the flowers at the end of the event.
  - Donate blooms that are still intact.
  - Have a form that they can specify what they would like to do with the flowers.
  - Associate a fee with client-specific requests.
  - Upsell preservation of bouquets.
- Social Media recognition can be communicated in the contract and/or in the consultations.
  - If photos are used by other vendors for marketing purposes, require credit.
  - Have it in the contract that you will post photos on social media. Stay a few days to a week behind the event to avoid conflict with clients.
- Cancellations: Do not give refunds!
- Deposit means that they will get it back, Retainer means you will not get it back. Always add "non-refundable."
- All the transactions are happening in the state of the business. Make sure you base taxes on the company state.
- Details' Delivery PDF form will help with authorizations the day of the event!

