I. BASIC PROVISIONS

1) FACILITY
   A. AIR CIRCULATION: Heating and air conditioning for the Performing Arts Center and Page Hall (both hereinafter referred to as PAC) is provided by the University at Albany (UAlbany) central power plant. PAC Management has no direct control over any utilities at UAlbany.

   B. ASSIGNMENT OF SPACES: PAC Management has sole authority to assign space to USER in its facilities. No PAC space shall be utilized by USER other than that expressly assigned in the Facility Registration Form without authorization of PAC Management.

   C. NON-TRANSFERABILITY: Space assignments made to a particular USER are made exclusively for that USER and may not be given, traded, sold or otherwise assigned from one USER to another.

   D. EQUIPMENT AND LIMITATIONS OF FACILITY: USER agrees that PAC Management shall not be required to provide any equipment not specified as being part of its regular inventory. If any such additional equipment is required, USER shall be responsible for such equipment. PAC Management will provide only the equipment requested in the Facility Registration Form or through prior agreement with the Technical Operations Director. In signing the Facility Registration Form, USER accepts all equipment and/or physical limitations of the space(s).

2) LAWS AND LICENSING
   A. COMPLIANCE WITH LAWS: No activities in violation of UAlbany Policies, Federal, State or Local laws, ordinances, rules or regulations or the opinion of the Board of Health shall be permitted on PAC premises, and it shall be the responsibility of the USER, while under the terms and duration noted on the Facility Registration Form, to enforce this provision.

   B. LICENSE/PERMISSIONS/COPYRIGHTS: The USER shall obtain and pay the fee for all licenses and permits necessary to conduct operations specified in the Facility Registration Form. The USER will assume all costs arising from the use of patented, trademarked, and franchised or copyrighted music, materials, devices, processes or dramatic rights used on or incorporated in the event. USER agrees to indemnify, defend and hold harmless the PAC Management and UAlbany/SUNY from any claims or costs, including legal fees, which might arise from the use of any such material described above.

   C. FIRE/SAFETY CODES: All sets, costumes, props, flashpots, laser lighting equipment, and any other materials used by the USER must conform to all existing fire and safety codes. The provisions of the fire prevention code that prohibits open flame (i.e. candles, smoking, flammable decorations, pen flames and explosive or inflammable fluids, gases and compounds) must be observed. The PAC Management may require written evidence that
all such codes have been observed and that operators have the required license(s).

3) INDEPENDENT PARTIES: It is understood that this is a usage policy and that except for the contractual obligations set forth herein, the PAC Management does not accept any responsibility for the supervision, direction, or control of services of USER's employees and/or agents for the manner, means, and/or details by which they carry out the terms specified in the Facility Registration Form. It is understood that the USER signs the Facility Registration Form as an independent contractor and not as an employee or agent of PAC Management.

4) CONTRACT REVIEW: PAC Management reserves the right to review all contracts related to the presentation of an event, including contracts between users and performers, speakers, subcontractors, managers and others. PAC Management may require changes to these documents to ensure compliance with UAlbany/SUNY and PAC policies.

5) USER REPRESENTATIVE: At the time of execution of the Facility Registration Form, USER will furnish to the PAC Office the name, address, and phone numbers of the USER's Event Contact. The Event Contact listed on the Facility Registration Form is the sole person authorized to make decisions, resolve problems and conflicts, or to negotiate any alterations in event procedure with the staff of the PAC. The Event Contact is required to be in attendance throughout the inclusive times listed on the Facility Registration Form. If USER must change Event Contact, the PAC Management shall receive written notification of the change not later than eight (8) hours prior to such change.

6) INSURANCE
   A. REQUIREMENTS: Non-University USERS of UAlbany facilities must arrange for the issuance of a revocable permit from the Office of the Controller at UAlbany. USER will meet all insurance requirements before permission for use of space is granted. Office of the Controller will inform USER and PAC Management of permits and insurance status.

   B. DAMAGE PAYMENTS: The USER is responsible for all damage caused by any person associated with the production under their supervision. If the damage is not covered by the liability insurance, the USER will be held responsible for the costs. The additional charges will be included in the final invoice for payment. The PAC Management will not be responsible for any damage or loss to USER's property, or that of the USER's agents, employees, etc., no matter what the cause of such damage or loss.

7) SAFETY
   A. FACILITY AND MATERIALS: USER shall not obstruct the area in front of or the entrance to the premises, halls, stairs, lobbies, and audience chambers, nor allow these areas to be obstructed in any manner. USER further agrees not to bring onto the premises any material, substances, equipment, or object which is likely to endanger the life of, or cause bodily injury to, any person on the premises or which is likely to constitute a hazard to property thereon. The PAC Management shall have the right to refuse to allow any such material, substances, equipment or object to be brought onto the premises and the further right to require its immediate removal.

   B. STAGE AND BACKSTAGE AREAS: Patrons or other non-stage personnel are prohibited from being on stage or in the wings at all times unless approved in advance by the Technical Operations Director. The USER will not permit or cause to permit audience seating on the stage or in the stage wings.
C. POLICIES: USERS must adhere to all UAlbany and State of New York safety policies and generally accepted standards applying to health, life and fire safety. Questions may be directed to the UAlbany's Office of Environmental Health & Safety and/or the Department of Public Safety. Any charges related to compliance to the above stated policies will be the responsibility of the USER.

8) CANCELLATION (see also 10C under Basic Provisions)
A. PROCEDURES: If an event must be cancelled after it is publicly announced, the USER will immediately notify PAC Management in writing regarding the cancellation. USER is responsible for publicizing the cancellation through the normal publicity channels and posting appropriate notices. USER will provide PAC Management with written evidence of this notification. At the discretion of PAC Management, USER may also be required to furnish a representative to be at the event site at least one hour prior to the cancelled event's start time to inform those patrons who may not have otherwise been informed of the cancellation. If USER is unable to provide this representative, the PAC Management will do so at cost to the USER.

B. INCLEMENT WEATHER: UAlbany/SUNY and/or PAC Management shall have the sole right to determine in good faith whether conditions of inclement weather or emergency circumstances warrant cancellation of an event.

C. EXCUSABLE NON-PERFORMANCE: The parties shall be excused from further performance upon the occurrence of one or more of the events listed below; provided however, that licensee shall be responsible for pro rata rental fees and actual out of pocket expenses incurred by PAC Management or which PAC Management is obligated to pay as of the date of the event.
- Destruction of the space(s) or PAC, including any physical damage which, in the sole opinion of the PAC Management, renders use of such space unsafe or impractical.
- Destruction or any physical damage to equipment to be used or needed by USER, which in the sole opinion of PAC Management renders the use of space(s) or PAC unsafe or impractical.
- Any act or regulation of public or governmental authority that, in the sole opinion of the PAC Management, renders the performance impossible or impractical.
- Any labor difficulties, civil tumult, strike, epidemic, or other cause, beyond the control of the parties, which, in the sole opinion of the PAC Management, renders performance impossible or impractical.

9) INTERRUPTION OR TERMINATION OF EVENT: The PAC Management shall retain the right to cause the interruption of any event in the interest of public safety or if the event is harmful to UAlbany equipment or facilities, and to likewise cause the termination of such event when, in the sole judgement of the PAC Management, such act is necessary in the interest of public safety or if the event is harmful to UAlbany equipment or facilities.

10) FINANCIAL
A. STAFF: PAC Management shall have final authority to determine the staff necessary for an event, including: security, first aid, concessions and any other activities associated with event. USER will be charged for staff as determined by PAC Management.
B. PAYMENT DEADLINES:

- A Facility Registration Fee, as specified in the Facility Registration Form is required to confirm reservations for all events. The PAC Management reserves the right to cancel the Event if the timing of payments is not in accordance with the terms set forth in the Facility Registration Form, and USER waives the right to receive refund of previously paid deposits. Standard Deposit Due Date is three (3) weeks prior to event.
- Final payment – 30 days

C. CANCELLATION BY USER: Should USER desire to cancel an event and if notification is given in writing to the PAC Management at least five (5) business days prior to the date of scheduled event, the PAC Management shall retain the Facility Registration Fee as liquidated damages, plus any additional expenses, and the USER and the PAC Management shall be relieved of any further obligations. USER is responsible for full rental fee and scheduled labor expenses at a four hour minimum by PAC Management if cancellation is within five (5) business days of scheduled event. In the event the USER fails to appear, perform, and/or present, or defaults in the performance of the provisions in the Facility Registration Form, the PAC Management shall be entitled to all payments due as if the contract had been fulfilled.

11) PARKING: USER must follow current UAlbany parking regulations as prescribed by UAlbany Parking Management. Parking is not permitted in the "Service Area", "Loading Dock", or service roads unless arrangements are made in advance with PAC Management. All vehicles not registered with the Office of Parking Management must park in one of the "Visitor lots" or at a parking meter. Exceptions to these guidelines may be arranged through UAlbany’s Office of Parking Management. Access to service lots is by appointment for loading and unloading only. USERS and audience members parking in Visitors Lots or at parking meters may be charged a nominal fee. PAC Management is not responsible for any parking fees.

12) SECURITY: The University Police is responsible for all law enforcement and security at the PAC. PAC Management reserves the right to refer any event to the University Police for security arrangements. The University Police will decide what level of security is required and bill the USER directly.

13) CONCURRENT USE: The PAC Management reserves the right to make available other public areas of the PAC, including but not limited to lobby, vestibules, hallways, box office, lounges, for concurrent use by another USER, provided that such use will not unreasonably interfere with the use covered in the Facility Registration Form.

II. TECHNICAL

1) EVENT PERSONNEL: An Event Supervisor designated by the PAC Management is required and will be provided for all events to supervise the overall facility and event operation. The number of staff members required and their schedule is determined by the Technical Operations Director, and will vary from event to event. USER will provide identification of the sole Event Contact, who will be in attendance at the event to make all technical decisions.

2) UNIONS: The PAC's professional staff is represented by United University Professions (UUP).
The PAC is not an IATSE facility. No other union contracts may take precedence over UUP in the PAC.

3) REPRODUCTION: In the event that the USER wishes to have the event recorded, broadcast, televised or otherwise extended beyond the performance space specified in the Facility Registration Form, USER agrees that all time necessary for the installation, operation, and removal of all necessary equipment in such spaces will be accommodated within the time allocated by the Facility Registration Form. All arrangements for any recording or broadcast services are the responsibility of the USER. All installation, operation, and removal must meet generally accepted safety practices and standards and meet with the approval of the Technical Operations Director/Event Supervisor. All costs relative to such installation, operation and removal shall be borne by USER and PAC Management shall not receive any fee, remuneration or compensation for any such extension of performance. The PAC shall be acknowledged in a mutually agreed upon fashion.

4) DELIVERY OF GOODS
   A. PRE-EVENT DELIVERY: Sets, costumes, and other materials belonging to the USER delivered prior to contracted time will not be accepted by the PAC Management without written arrangements and additional charges to the USER. The PAC Management makes no guarantee that space will be available to receive materials arriving early.

   B. PAYMENT: The PAC Management will not accept any goods shipped to the PAC for the USER, or for any person claiming to be acting for the USER, if any sum is to be paid the carrier upon delivery thereof.

5) SOUND/LIGHTING CONTROL: The PAC’s Technical Operations Director must approve the sound and lighting control board operator(s) and may require that trained PAC staff be assigned to those positions. PAC Management reserves the right to control the final equalization and volume of sound for any event.

6) SET-UP AND STRIKE: All set-up and strike time must be scheduled and noted on the Facility Registration Form. If allotted time is exceeded, USER will be charged for all additional costs. Be advised that PAC access doors are various sizes and special arrangements will have to be made to accommodate large equipment or scenery. Prior arrangements must be made with the Technical Operations Director for use of loading docks or carts. All of USERS’ equipment and materials must be removed immediately following the conclusion of their event, allowing spaces to be returned to their pre-event condition. In the event that a USER fails to remove the aforementioned equipment and materials, the PAC Management will dispose of the items and charge the USER for any and all expenses related to that disposal.

7) FACILITY RESTRICTIONS: Any fasteners or adhesives to be used in contact with PAC facilities or equipment must be approved for use by the Event Supervisor. No painting shall be allowed anywhere in the facility or in the surrounding area. Requests for installation of scenery, banners, display or decorative items must be made in advance with the Technical Operations Director. The use of smoke generators, fog generators, pyrotechnics or open flame items is strictly prohibited.

8) BACKSTAGE HOSPITALITY: Service or consumption of alcoholic beverages is prohibited without approval by the PAC Director in accordance with the UAlbany Alcohol Policy. Local, State, and Federal Law prohibit the unlawful possession and/or distribution of controlled
substances; stimulants, LSD, hallucinogenic substances, and marijuana. Individuals found in violation of these restrictions are subject to immediate removal and arrest from PAC premises by University Police.

9) KEYBOARD USE AND TUNING SERVICE: Use of pianos owned by the PAC must be requested a minimum of two weeks in advance. Requests for piano tunings will be referred to the piano technician employed by the Department of Music. Any piano tuning services are to be contracted by the USER with either the Department of Music’s piano technician or by a tuner s/he has approved. Any expenses for the tuning of pianos are the responsibility of the USER. USER is responsible for damage to any pianos provided by the PAC Management for their use. Specifically prohibited are: attaching or fastening anything to pianos, removing lids from pianos, ‘preparing’ pianos or nontraditional performance techniques requiring manipulation of any interior parts of the piano, striking any part of the piano, etc.

10) SMOKING: Smoking is prohibited in the PAC. The UAlbany smoking policy will be strictly enforced.

III: HOUSE

1) HOUSE MANAGEMENT: The authority of the Event Supervisor is absolute with regard to times of opening the House, start of the program, length of intermission, safety of staff and audience and protection of the facility. The Event Supervisor will supervise front-of-house personnel supplied by the USER.

2) EVENT STARTING TIME: The USER should ensure that all events will start on time and be delayed only in the event of unusual technical difficulties or extreme weather conditions. Generally, the SPACE(S) will be opened to audience one-half hour prior to scheduled performance time. Under no circumstances will a performance begin or the intermission end without the express verbal permission of the Event Supervisor.

3) CONCESSIONS/MERCHANDISE: The sale of concessions and merchandise during the event must be arranged in advance with the Technical Operations Director. PAC Management reserves the right to control time, manner and location of sale tables and vendors for these sales. PAC Management is not responsible, in any way, for the merchandise and will not be involved with its sales or security. No food or drink will be allowed in any of the theatre spaces in the PAC or Page Hall.

4) DISPLAYS: Displays may be located in the lobbies only with advance approval of the Technical Operations Director. Any unauthorized displays or postings will be removed. Any damages caused by either the posting or removal of displays, whether authorized or not, will be charged back to the USER.

5) CATERING: Any catering for your event must be approved in advance with the Technical Operations Director. Catering for all events at the PAC and UAlbany can be provided by Chartwells, the on-campus caterer contracted by University Auxiliary Services. USER must obtain all approvals and make any necessary arrangements with Chartwells. If USER wishes to utilize an off-campus caterer, USER must contact University Auxiliary Services for approval. PAC Management reserves the right to control time, manner and location of catering tables and
servers for these receptions. PAC Management is not responsible, in any way, for the catered items and will not be involved with their distribution or security. No food or drink will be allowed in any of the theatre spaces in the PAC or Page Hall. Service of all alcoholic beverages requires approval from the PAC Director.

6) SOLICITATION: No collections, donations or solicitations of money or goods of any kind, whether for charity or otherwise, shall be made or attempted on the PAC premises without first obtaining written permission of the PAC Management.

7) ANIMALS: Animals are not allowed in the PAC except for those animals assisting in the normal daily activity of individuals (e.g. seeing eye dogs).

8) SEATING CAPACITIES/TICKETS: All spaces will have a certain seating capacity for each performance. Some of the theatres will regularly vary in capacity (e.g. the Black Box theatre), while other theatres’ capacity will vary only occasionally due to special equipment or staging requirements which necessitate the removal of some seats. Availability of standing room is at the discretion of the Event Supervisor. If tickets are to be utilized for your event, please contact the Technical Operations Director for the correct number of seats. PAC Management may require the use of tickets for any event and will bill the USER for the printing of those tickets. The PAC Management does not offer box office services for the event.

9) LATE SEATING: Late seating arrangements will be made separately for each performance, and will be mutually agreed upon by the USER and the Event Supervisor based on their estimate of the least disruptive time to open the doors and allow people into the space.

10) OBJECTIONABLE PATRONS: The Event Supervisor reserves the right to have objectionable patrons removed from the premises. The PAC Management shall not be held liable in any way for any damages that might be incurred through the exercise of this right. When necessary, the Event Supervisor will contact University Police for assistance with this policy.

11) SPECIAL NEEDS: The PAC has limited facilities for special needs patrons. The PAC Management will make all effort to accommodate the needs of patrons or clients with special needs (i.e. handicapped seating) within the facility. USER should contact the Technical Operations Director with any known special needs in advance.

12) LOST AND FOUND: Any items found in the facility will be held in the PAC’s Director’s Office (Room 266), and can be recovered with appropriate identification (if necessary). Items deemed by the PAC Management to be of greater value (i.e. jewelry, purses, wallets, leather jackets, electronics) may be turned over to the University Police Department. The PAC Management will make reasonable effort to locate the owner of the goods. All items in PAC Management possession after 14 days will be discarded. The PAC Management assumes no responsibility for damages caused by the loss of the item(s).

13) CAMERAS, AUDIO, VIDEO EQUIPMENT: USER will notify Event Supervisor of any preferences regarding the use of recording and photographic equipment by audience members. It is the USER’s responsibility to follow any arrangements or copyright laws associated with an artist or performance. PAC Management reserves the right to prohibit the use of recording or photographic equipment according to the USER’s preferences and PAC policies. Placement of audio and video equipment, and the locations from which pictures may be taken, shall meet the approval of the Event Supervisor.
14) EMERGENCY MEDICAL TREATMENT: All expenses for ambulance service or emergency room charges at a hospital will be the responsibility of the person so treated.

IV. PUBLICITY/PROMOTION

1) EVENT PROGRAM: Programs or “playbills” for audience members are the responsibility of the USER. The PAC Management is not responsible for the creation or distribution of event programs. If an event program is to be distributed, a copy of the program should be provided to the Event Supervisor upon the USER’s arrival.

2) PROMOTION/PUBLICITY
   A. ANNOUNCEMENT OF EVENT: USER shall not publicly disclose, through publication or otherwise, that it shall hold an event at the PAC, until the USER has received, signed and returned the Facility Registration Form to the PAC Management with any appropriate payments.

   B. ADVERTISING: USER is responsible for advertising the event/performance. The PAC Management reserves the right to review and approve or reject advertising copy prior to publication. Promotion/publicity shall not discriminate against or segregate patrons because of race, color, creed, religion or national origin.

   C. RESTRICTIONS: All publicity must clearly state the sponsor of the event. USER is prohibited from using the UAlbany/ SUNY or PAC logo in any manner and on any printed material without the expressed written consent of UAlbany/ SUNY or the PAC Management, respectively.

   D. REFERENCE TO FACILITY: USER may use the name of the facility and UAlbany solely in connection with the event for informative purposes and to publicize and advertise the location of the event/performance. The building shall be identified as ["The Performing Arts Center"/"Recital Hall"/"Main Theatre"/"Page Hall," etc., depending on space identified in the Facility Registration Form] and the campus as "University at Albany."

   E. FACILITY USE: Publicity within the facility is limited to the rental period associated with the public event. No publicity will be allowed in the facility prior to the event.

   F. REQUEST FOR MATERIALS: It is requested that a copy of all promotional materials created for an event be faxed or mailed to the PAC Management upon creation.