

THEATER RENTAL AGREEMENT rev 2.10

An agreement between The Julia Morgan Center for the Arts and the following:

COMPANY NAME:	RECORD #
MAILING ADDRESS:	
WEB ADDRESS:	
BUSINESS PHONE #:	FAX #:
PRIMARY CONTACT:	EMAIL:
CONTACT PHONE #1:	PHONE #2:
ALTERNATE CONTACT:	EMAIL:
CONTACT PHONE #1:	PHONE #2:

TITLE OF EVENT:

This event coincides with another production. YES NO

Expected conditions: _____

This contract is valid for 10 days and expires if not signed in that time by both parties.

STANDARD RENTAL FEES*

(includes a House Technician, a House Manager, and Publicity support.)

- Saturday or Sunday Matinees (11AM-5PM): \$1,450 per performance
- Friday or Saturday Evenings (5PM-11PM): \$1,450 per performance
- Sunday thru Thursday Evenings (5PM-11PM): \$ 900 per performance
- Hourly rate for time in space in excess of six hour block: \$ 40
- Hourly overtime rate in excess of eight hours per day: \$ 60

- Multi-performance discounts of \$300 (from \$1450) and \$150 (from \$900) may apply.

**Plus a \$ 1.00 per person Theater Improvement Fund charge. (See page 6)*

RENTAL DATE(S) AND TIME(S)

DATE	REHEARSAL & TECH TIME <small>(If Applicable)</small>	LOAD-IN/ USAGE/ LOAD-OUT	RECEPTION TIME <small>(If Applicable)</small>	PERFORMANCE TIME

THE FOLLOWING IS FOR OFFICIAL USE ONLY - DO NOT FILL IN

SCHEDULE OF PAYMENTS AND ADDITIONAL FEES

(Please submit separate checks for each fee)

This contract is valid for 10 days and expires if not signed in that time by both parties.

Due at signing, No later than: _____

Non-Refundable Deposit towards the Rental fee: Check # _____ \$ _____

Due one month (30 days) before load-in date: _____

Balance of Rental fee: Check # _____ \$ _____

Rehearsal fee: Check # _____ \$ _____

Refundable Cleaning/Damage deposit: Check # _____ \$ _____

Reception fee: Check # _____ \$ _____

The Julia Morgan's Office Manager will reconcile fees following the last performance date and issue invoice or check. Fees invoiced after the event/performance will be due upon receipt of invoice.

Due after the conclusion of the event(s)/performance(s): _____

Theater Improvement Fund charge (see page 6) Check # _____ \$ _____

Please make checks payable to The Julia Morgan. Bounced checks will result in a \$25 fee to cover our bank costs and will not serve as a guarantee to hold your date. All fees, once remitted, are non-refundable. A fee of 10% will be added to all late payments at every stage of the contract.

Amendment to contract and technical rider if applicable:

*I understand these terms and enter into contractual agreement with The Julia Morgan to pay the rental and other fees in a timely manner, and to provide the necessary information within the time stated.
I further understand that this contract includes attachments concerning our technical and house support agreements, and that my signature below extends to these agreements.*

Signed (contact): _____ **Date:** _____

The person listed as the main contact must be the person signing the contract. This person must also attend the event/performance and be available for the consultation and sign-off of the house report at the conclusion of the event/performance.

For The Julia Morgan: _____ **Date:** _____

TECHNICAL RIDER

The following support will be provided as a part of the rental agreement. Other requests are negotiable for additional fees. Please initial each item after reading.

Tech Meeting:

A walk-through of the theatre and on-site tech meeting is required 4 weeks prior to each performance. The performance date is not guaranteed until the tech meeting has taken place and been documented. The performance will be cancelled without refund if tech meeting is neglected. Your design staff, producer and stage manager must be present. Please contact the Technical and Facilities Manager to set up this meeting one month prior to your production: Valerie Pope, valerie@juliamorgan.org 510.845.8542 x 383

IMPORTANT: The technical meeting is designed to discuss the logistics of your production (lighting, sound, staging, etc.) and to evaluate our ability to assist you with your needs. Set-up will NOT be done prior to your scheduled load-in. Please schedule your production accordingly.

Set:

The Julia Morgan Technical and Facilities Manager must approve of the set design you will use for your production. Please bring set designs to the technical meeting. If your production consists of more than one performance over 2 or more days, we require the main stage area, dressing rooms and house to remain clear between performances to allow for use by other renters of the space. Sets must be collapsible and easily stored unless otherwise approved by the Technical and Facilities Manager.

Fire Exits:

At no time shall any fire exit be blocked with any equipment or materials. Failure to adhere to this mandate will result in a \$50 fine for each infraction.

The Julia Morgan will provide the following technical assistance:

A technician will be available six hours per performance-day. Extra load-in time and tech rehearsals will be billed separately. Set-up includes:

- Turning on and checking house lights and thermostat.
- Running the light board or audio board for the performance. Techs cannot run both lights and sound.
- Changes to light plot within reason during allotted time. Client must provide *at least* one assistant to help with changes to lighting.
- Setting up and striking basic sound equipment, including monitors, microphones, and other sound systems. There may be an additional charge if the amount of sound set up requires more than basic set-up.
- Closing and locking the facility at the end of the performance. Strike must be completed by 11pm for evening performances, and 5 pm for matinees. Renters will be charged \$40/hr for additional time required for the strike. (\$60/hr over eight hours.)

Volunteer Ushers / House Management

- Renter/performer is required to provide two (2) front-of-house liaison/ushers to help welcome your guests and assure a smooth start and run of your performance. They will work in conjunction with the Julia Morgan house manager.

The Julia Morgan will provide the following House Managing duties:

- Coordinating the accessible seating arrangements.
- Oversight of ushers and other front-of-house volunteers.
- Completion of house report, pre-performance and post-performance walk-through, to be signed off by your main contact at the conclusion of your performance.

Dressing Rooms:

Performers are responsible for cleaning the dressing room, bathrooms and backstage area after each performance. *Smoking is strictly prohibited in dressing rooms, as well as on the deck outside of the main dressing room.* The Julia Morgan will not be held responsible for lost or stolen items – please secure any valuables. Renter responsibilities include:

- Throwing trash away in respective recycling and trash containers. All trash from food consumption must be removed promptly (any pest problems resulting from negligence in this area will be considered the responsibility of the renter). No food can be left overnight in the theater for any reason.
- Clearing all counter space of make-up and costume materials.
- Hanging up and putting away of all props and costumes. This includes ironing boards and sewing materials.
- Cleaning out sinks of any paint or make-up debris.
- Clearing of floors – removal or orderly storage of all props and costumes.

Strike:

- If a production spans more than one performance slot, the dressing rooms and stage must be cleared and cleaned after each performance, as other groups may be using the space. An hourly cleaning fee will be charged if areas are left untidy.
- At the end of the rental term the renter will be responsible for removing any prop, costume or set materials from the premises.
- Renters must make special arrangements for waste removal related to set, prop or costume disposal.
- The renter has until the end of the agreed rental time to strike the set, sound equipment, costumes or anything else brought into the space. The renter is responsible for providing adequate staff to make sure the entire facility is returned completely to its prior condition, this includes restoring the house lighting plot and sound equipment as well as cleaning the stage and dressing rooms. The Julia Morgan House Technician will oversee the strike. Renters will be charged \$40/hr. for any extra time required to restore the theater beyond the contracted end time.

Space Use Guidelines:

In order to preserve the lobby and house for the safety and comfort of the audience, we ask that artists and staff observe the following guidelines.

- No food or beverages inside the theater, except bottled water. Eating and drinking is allowed in the lobby or outside the building.
- Construction and/or painting may only take place on the stage or outside the building.
- Theater seats may only be used for sitting or placing light objects (jackets, scarves, etc.) upon. Please do not sit on seat armrests or seats folded in the up position, or put legs or feet on seatbacks.
- Do not sit, lean or climb upon the wood safety railing on either side of the house.
- Do not sit or climb upon the lobby counter.
- Do not allow younger artists to run through the theater.
- Perimeter doors must remain closed and locked unless you are currently loading in or have a representative in the lobby to ensure that no unauthorized personnel enter the building. This is for the safety of other building tenants, as well as your artists and their belongings.
- Do not thumb-tack, tape or staple anything to the walls in the theater, lobby or dressing rooms. If you have a need to post something, please see a Center representative for assistance.
- Do not write upon, or apply make-up or lipstick to, the walls of the facility.

Damages to Julia Morgan Property:

- A walk-through of the backstage and theatre area is done before and after each performance. Renter is responsible for any damage to the facility during performance.
- All renters must provide a damage deposit that will be returned by mail upon completion of a final walk-through after final strike.

Proof of Insurance:

- All renters must show proof of liability insurance of \$1,000,000 with THE JULIA MORGAN CENTER FOR THE ARTS named as additional insured. Insurance must cover all time contracted in theater including tech, load-in, rehearsals and performances. Failure to provide The Julia Morgan with proof of insurance will result in cancellation of our contract with no refund of deposit.
- Proof of insurance must be received at least 2 weeks before the first performance.
- One-night performance insurance can be purchased at a reduced rate from Theatre Bay Area if you are interested in membership or insurance, contact 415-430-1140 and speak to Dale (x 14) or Kendra (x 18).

Concessions/Promotional Sales:

- Food Concessions: The Julia Morgan provides a service to your patrons by selling food and drink concessions. If there are foods that you think would compliment your performance, or especially appeal to your expected audience, please let our staff know and we will work to coordinate accordingly.
- Promotional Sales: Lobby sales of CDs, Books, T-shirts and other promotional materials related to the performance must have the prior approval of the Julia Morgan. Please provide a list of merchandise no later than the Tech meeting for your event.

List what you plan to sell here: _____

Video Recording:

- To guarantee safe emergency exit routes during all performances and maintain unobstructed sight lines for our audience members, audio or video recording from Theater aisles or aisle seats will not be permitted by our house managers.
- If you believe your audiences would appreciate recordings of your performance, you are welcome to record your performances and make those recordings available to audience members after your performance, subject to copyright or other laws, with which it is your responsibility to comply. Such a request should be brought to the attention of our Facilities and Technical Manager during your scheduled technical meeting prior to your event, and Center technical staff will assist you in establishing a video or audio recording position in an area of the Theater that does not obstruct exit routes or sightlines.
- Sales of event video recordings are not subject to Concessions/Promotional Sales fees.

On-Site Publicity:

- The Julia Morgan provides multiple opportunities for promotion of your show or event via banner placement, newsletter promotion and posters. In order to preserve the integrity of the historic venue, banners and other propaganda cannot be posted on or around the building without prior approval of the Julia Morgan staff.
- Signage artwork and display method must be approved at least 3 weeks prior to load-in.
- Any materials posted without this approval will be removed.

Publicity:

- Renter/performer is responsible for publicizing event.
- *Theatre Bay Area* publishes a *Sources of Publicity* guide. Call 415-430-1140 to order your copy.
- ***All publicity material, ads and flyers must be submitted for approval by the Julia Morgan before distribution.***

Services offered by Julia Morgan:

- Performance will be listed on the Julia Morgan web page. The *Web Page Submission Form* must be submitted along with a photograph and your ticketing information.
- Calendar listings in local papers.
- Monthly email announcements to patrons.
- On-site flyers, posters and marquee announcement.

Acknowledgements:

Programs designed and printed by the client will include the staff and funder acknowledgements which should be confirmed prior to publication:

The Julia Morgan Center for the Arts Theatre Staff:

Technical Staff:	Chris Dunaway, Kristie Leffler, Charles Miller, Mike Sweeney, Jamie Trant, Matt Wacker, Brendan West,
House Managers:	Jen Corredera, Lisa Costello, Helen Hicks, Jessica Holt, Vivian Kane, Carrie Mullen, Anson Smith
Managing Director:	Jerry Foust
Production Manager:	Valerie Pope
Client Services Manager:	Dave Garrett
Business Manager:	Marilyn Stanley

The staff and board of The Julia Morgan gratefully acknowledges support of the California Cultural and Historical Endowment, City of Berkeley Civic Arts Program, Imagination Foundation, Northern California Community Loan Fund, Walter and Elise Haas Fund and all who contribute to our dollar donor campaign!

Food concessions provided by Citron.

Ticketing:

- Permanent seats number 328. By adding seating on the side wings (at no extra charge) this number can be boosted to 350. By changing the configuration of the pit cover (in advance, and subject to a possible additional fee) this number can be boosted to 390. "Standing room" tickets are not permitted. Ticket sales should be controlled in accordance with these parameters.
- The Julia Morgan can provide Box Office services at a minimal charge. Please request a service agreement from the Booking Manager for details.
- Renter is responsible for providing to our House Manager, a count of all advance sale, door sale and complementary tickets at the time of each performance.
- The Julia Morgan reserves the right to 6 (six) complimentary tickets per performance to be used at the discretion of the theatre. In addition to pre-reserved comp tickets, Julia Morgan reserves the right to bring selected guests into public performances on a case-by-case basis. The Julia Morgan uses such visits (which will not come at the expense of sellable inventory, except by prior arrangement) to encourage community support for the Julia Morgan, its tenants, users and programs.

Theater Improvement Fund:

- The Julia Morgan will assess a charge of \$ 1.00 for each event attendee - regardless of ticket price and including comps - which is used to provide improvements to the facility for both renters and audience members.
- **We suggest that renters make the audience aware of this as an adder to your ticket price, letting them know that they are directly helping to improve the facility.**
- Renter is responsible for providing to our House Manager, a count of all advance sale, door sale and complementary tickets at the time of each performance. In the event such a count is not provided, the Center will calculate the Theater Support Fund fee for the event as if all 328 seats were filled.

Receptions:

- A fee of \$100 will be charged for any complimentary food and/or drink reception before or after a performance.
- A reception cleaning deposit of \$150, retained until final walk-through ensures that theater lobby has been returned to its previous condition. This includes removal of trash and recycling.
- If reception is not announced and paid for in advance, the client will be billed \$250.00 per performance.
- Food must be kept out of the theater. The renter will provide volunteer staff to enforce this limitation.

Pre-recorded Emergency Exit Announcement:

California State Law (Bill AB1194) requires all facilities that host ticketed events for live entertainment make an announcement of the availability of emergency exits prior to the beginning of the live entertainment. The Julia Morgan House Technician will play a pre-recorded welcome announcement covering the above-mentioned law as well as a reminder to turn off cell phones before every performance.

 Parking:

- The Julia Morgan has no available parking for renters. Street parking around the facility is regulated during daytime hours Monday through Saturday, with 2-hour zones from 8am to 7pm.
- Evening and weekend off-street parking is available 3 blocks from the theater at UC Berkeley's Underhill Field at 2612 Channing Way, between Bowditch and College. Pay stations are on level P1 near the elevators. Machines accept both cash and credit cards.

 Urgent-Need Phone Numbers:

- In the case of a Police/Fire/Medical emergency, please call 911.
- During rental times, if on-site staff members are not available to address the needs of the performance, the following Julia Morgan Staff members may be reached via cell phone.
Dave Garrett, Client Services Manager, 415-602-9082

 Cancellation Policy:

Upon contracting our space for a rental, the Julia Morgan begins to expend resources in preparation for the rental and forgoes the opportunity to contract with other renters for this space. Rental deposits and other fees compensate for these early expenditures and help to ensure some of our costs are met even in the event of a cancellation*; thus, all payments are non-refundable unless prior written arrangements are made with Julia Morgan staff. Deposits and fees for cancelled dates may, at the sole discretion of the Julia Morgan, be applied to another date provided the new date falls not later than three months following the original date.

All balances of rental and rehearsals fees are due one month prior to start date unless other arrangements are made with the Julia Morgan and/or notated in the amendment section of this contract on page 2.

* The Julia Morgan retains the right to cancel this contract with written notice at any time due to Acts of Nature (including fire, flood, earthquake, storm or other natural disaster) or other events or circumstances beyond the control of the Julia Morgan (*force majeure*), in which case the rental deposit shall be returned in full. The Julia Morgan also may cancel this contract, without repayment of deposit or fees, for any of the following reasons: misrepresentation of event, lack of insurance, bounced checks, the threat of violence or actual violence to any person by renter's employees or agents, the threat of damage or actual damage to the Julia Morgan by renter's employees or agents, the threat of violence or actual violence resulting from renter's event, the threat of damage or theft or actual damage or theft of Julia Morgan property by renter's employees or agents or failure to abide by the terms and conditions of this rental contract. Rude or offensive behavior on the part of renter's employees or agents will not be tolerated and offenders will be asked to leave the property.

Emergency Procedures for Theater Occupants

This sheet is intended to promote the safety of you and your colleagues should an emergency occur while you occupy our theater.

The Julia Morgan is continually monitored for the safety of its occupants, and our staff is trained to respond to emergency situations. *In the event of fire, medical emergency, suspicious objects, civil disturbances or power loss, notify our house manager or house technician as soon as possible.*

1. Please take a moment to familiarize yourself and your colleagues with the following:

Emergency Exits	Evacuation Areas
Stage right out to parking lot	Theater stage area: Julia Morgan parking lot on south side of Center.
Stage left downstairs through exit to backyard	Theater audience chamber: Lawn area at front east side of Center
Stage left dressing room , through rear of theater to stairs and down to yard	Theater lobby: Lawn area at front east side of Center
Through lobby to front lawn	Studio 1: Julia Morgan parking lot on south side of Center

In the Event of Evacuation (fire, etc.):

- Listen for instructions from Julia Morgan staff.
- If you are directed to evacuate the building, or hear no direction, evacuate the building via your nearest available emergency exit, proceeding to the nearest available Evacuation Area
- If you are able, assist disabled or injured persons to evacuate as well

In the Event of Earthquake:

- *Audience Chamber:* Do Not Run Outside. Stay in seating area, move to the center of the hall away from windows on the left, right and rear building sides. Kneel below level of seat backs. Face away from windows and bend head close to knees. Hold on to something stationary with one hand and cover head and neck with the other.
- *Stage:* Do Not Run Outside. Stand against rear stage wall until shaking stops.
- *Backstage Areas:* Do Not Run Outside. Stand against east wall of backstage hallway until shaking stops.
- *Lobby:* Quickly move outside front doors to front of building. Do not move toward theater entrance (glass above lobby may shatter).

After shaking stops, follow above instructions for evacuation

TECHNICAL REQUIREMENTS

Performance Name: _____

Performance Logistics:

The backstage areas can accommodate roughly 15-20 people.

If extra space is needed for dressing room, green room or for warm-up, use of our Studios can be arranged with the Julia Morgan Booking Manager for an additional fee of \$25/hr.

Lighting:

The theater is equipped with an ETC Express 48/96 lighting control console and 48 light dimmers @ 1800w per dimmer. The General theater light plot and dimmer schedule are available by request. Additional instruments are available to rent for an extra charge. Set up and Strike happens during Rehearsal/Tech hours.

Follow Spot:

Use of the theater's follow spot is included in your rental.

The renter is responsible for a volunteer to operate it. Please allow time to set up and strike the follow spot.

Sound:

Indicate how much sound reinforcement you need in terms of microphones and stands. A list of equipment included in the rental cost as well as additional equipment available for rental is available in the Theater Spec Sheet.

Piano:

The theater is equipped with an upright piano.

Tuning of the piano is the renter's financial responsibility.

Video Projector:

The theater has a video projector available for rental or you may use your own. Video is typically projected onto the white cyclorama curtain which is located upstage. You may provide your own screen if you prefer. Set up and strike of projector require additional time.

Marley Floor:

The theater does NOT come equipped with a Marley floor. Rental arrangements, crew for installation and removal, and supplies to secure the floor in place (tape) are the renter's financial responsibility.

Set:

Sets may be loaded into the theater for performances provided they meet the requirements set out in the rental agreement. Set designs must be submitted and approved by the Julia Morgan Technical Director.

Pit Cover / Stage Extension / Extra Seating / Pit Floor:

The orchestra pit cover is a modular system that can be configured to extend the stage, provide room for extra seating, or act as a pit floor. The default position for the pit cover is "Floor Level". Different configurations can be arranged in advance at an extra fee.

**Please help us plan your event
by answering a few questions:**

Number of performers: _____

Length of performance: _____

Intermission: **Y / N**

How many performances? _____

Do you need additional Studio space? **Y / N**

Do you anticipate any lighting needs beyond the General theater light plot? **Y / N**

If so, the lighting design must be submitted and approved at the Tech Meeting.

Will you be using the follow spot? **Y / N**

Volunteer's name: _____

Training needed? **Y / N**

Number of Wired microphones planned: _____

Number of Microphone Stands planned: _____

Will you be providing your own mics and stands? **Y / N**

Will you be using the piano? **Y / N**

Do you anticipate tuning the piano? **Y / N**

Does your event require a projector? **Y / N**

Do you plan to rent our projector? **Y / N**

Will you be bringing a screen? **Y / N**

Will you be renting or bringing a Marley floor? **Y / N**

(Berkeley Ballet Theater, 510-843-4687, has a Marley floor available for rent.)

Will your production involve a set? **Y / N**

When will drawings be available? _____

Do you need a quote for changing the position of the modular orchestra pit cover? **Y / N**

Stage Extension Extra Seating

Pit Floor Special