TOWN OF Herndon VIRGINIA

SPECIAL EVENT FACILITY RENTAL

CONTRACT

This contract serves as approval for the use of town facilities by the "applicant" (*applicant organization taken from the special event request form*), from the "town".

Event Name: 2025 Friday Night Live

Date of Event: 5/2, 5/9, 5/16, 5/23, 5/30, 6/6, 6/13, 6/20, 6/27, 7/11, 7/18, 7/25, 8/1, 8/8, 8/15, 8/22

Location of Event(s): Town Green

EVENT DESCRIPTION

Description of Event: Outdoor Concert Series

Estimated Expected Attendance:

Public: 690

Vendors: 15

Event Staff: 45

Others: 0

Times:

Staff Arrival & Set Up: 4 PM

Event Start: 6 PM

Event End: 10 PM

Site Cleaned & Staff Departure: 10:30 PM

☒ YES, food will be sold ☐ NO, food will not be sold

☒ YES, alcohol will be sold ☐ NO, alcohol will not be sold

LOCATIONS AND FACILITIES

The parameters of the event are as described below and as shown on attachment(s): (a) site plan; (b) traffic plan; (c) security plan; (d) estimate of town services; (e) Certificates of Insurance; (f) receipt for security deposit; (g) schedule of services and (h) special permits.

The Herndon Municipal Lobby will only be available for the use by the Applicant on JULY 18, 2025, for the duration of the event.

TEMPORARY STRUCTURES/FACILITIES

The applicant is responsible for the erection of any temporary structures or facilities required for the special event. Temporary structures and facilities shall be as shown on attachment (a) site plan. The applicant is responsible for providing sanitary facilities (portalets) as described and located on attachment (a) site plan.

SERVICES TO BE PROVIDED BY THE TOWN

The town will provide the services identified in attachment (G) schedule of services for the estimated hours at the estimated cost, and pursuant to the Extra Duty Employment Agreement. In addition, the town will make a $20,000 cash donation to the Chamber to support site clean up.

FEES AND FINANCIAL REQUIREMENTS

The total estimate of Town of Herndon services is $39,474. The estimate is detailed in attachment **(G)**, schedule of services. Town services requested or required at the time of the event that are not listed on attachment **(G)** will be charged after the event as the actual cost. If the actual cost incurred differs from attachment **(G)** schedule of services, the actual cost will be the amount due to the town. Any waivers or reductions in fees authorized by the Town Council are identified in attachment **(G)**.

SECURITY DEPOSIT

The town has waived a security deposit and bond.

PUBLIC ACCESS TO PUBLIC USE PROPERTY

Use of public facilities are limited to the areas described herein. The applicant shall ensure that the public has access to adjacent areas and has reasonable access through the event site.

ACCESS TO W&OD TRAIL

The W&OD trail is not town property and is not part of this agreement. The applicant shall keep the trail clear for general public use. The trail shall not be blocked or re-routed without written permission of the Northern Virginia Regional Park Authority (NOVA).

OTHER APPROVALS, LICENSES AND PERMITS

The applicant shall be responsible to obtain the following additional licenses, permits or approvals, if required:

- ABC license for alcohol, if alcohol will be served
- Health department food licenses, if food will be served
- Approval by NOVA Parks, if the W&OD trail will be used or modified
- Carnivals, Fairs and Festivals – Fire and Rescue (fairfaxcounty.gov)
- Fairfax County Fire Marshal if propane, or other liquified petroleum will be used for cooking
- Fairfax County Fire Marshal for temporary tents of a certain size and capacity
- Amusement permits
- Structural permits
- Noise permit
- Temporary License Agreement for portalets and ice cooler machine

Any required approvals, licenses or permits outstanding as of 48 hours prior to any event date may be cause for a cancellation of that event date.

CONDITIONS RELATED TO AMPLIFIED SOUND AND COMPLIANCE WITH NOISE ORDINANCE

Applicant shall comply with the Town of Herndon Noise Ordinance, Section 26, Article VI. Sound amplifying equipment may only be used if expressly permitted in the conditions described below. Conditions related to amplified sound are permitted on the following dates and pursuant to the Noise Permit issued by the Town Manager for the Friday Night Live Outdoor Concert Series on 5/2, 5/9, 5/16, 5/23, 5/30, 6/6, 6/13, 6/20, 6/27, 7/11, 7/18, 7/25, 8/1 , 8/8, 8/15, 8/22 in 2025 to be held on the Town Green, Herndon, VA 20170, between the hours of 5 PM and 10:30 PM.

COMPLIANCE WITH OTHER FEDERAL, STATE AND LOCAL LAWS

The applicant shall comply with the terms of this contract and all applicable town, state, and federal laws and regulations and maintaining at all times any other permit(s), licenses, etc. required under applicable law for the stated use. This Contract shall be deemed to be a Virginia contract and shall be governed as to all matters whether of validity, interpretations, obligations, performance or otherwise exclusively by the laws of the Commonwealth of Virginia. Any and all suits for any claims or for any and every breach or dispute arising out of this Contract shall be maintained in the appropriate court of competent jurisdiction in the County of Fairfax.

CANCELLATION

Cancellation by the applicant within 7 days of the event will result in charges to the applicant of actual costs incurred by the town. The Town of Herndon may cancel the event for inclement weather if the town determines that the event could unreasonably damage town property or the safety of individuals. In addition, the Town of Herndon may cancel the event if the space is required for a public purpose. If the event is canceled by the Town of Herndon, every effort will be made to establish an alternate date

RESPONSIBILITY TO MAINTAIN AND PROTECT TOWN PROPERTY FROM DAMAGE

The applicant shall clean up following the event and return the sites and facilities to their original condition. All trash shall be picked up and removed from the site by the applicant immediately following the event or placed in dumpster for removal. Applicant shall be charged $750 for the pick up and removal of trash that has not been picked up immediately following each performance date and removed by applicant by 5pm Monday following each performance date.

The applicant must have the portalets cleaned by no later than 5:00PM on the Monday following each performance date. The applicant must have the portalets cleaned by no later than 5:00PM on the Monday following each performance date. If the portalets are not cleaned by 5:00pm on Monday, the Chamber shall order emergency cleaning services on Tuesday morning.

The applicant is responsible for damage to town property caused by event activities.

INSURANCE

The applicant shall maintain a $2 million general liability policy or a $5 million general liability policy if alcohol is being served for the event in which the town is listed as an additional insured.

INDEMNIFICATION

Applicant shall hold harmless the Town of Herndon, its officers, agents, employees and volunteers from any claims, causes of action, penalties, losses, expenses or any other liability for injuries, death or damages to persons or property resulting from the special event which are caused by the omissions or authorized acts of the

applicant's or sponsor's officers, agents or employees; the applicant or sponsor assumes the risk of utilization of space.

If the town incurs any costs as a result of the applicant's or sponsor's failure to comply with any provisions of this agreement including clean up or if town property is destroyed or damaged by reason of the event, the applicant shall reimburse the town for the town's actual costs, including actual replacement or repair cost of the damaged property. The town may retain any deposit or portion thereof as full or partial reimbursement for any such damage.

AMENDMENTS

Any amendments to this Contract, including dates and times of events, must be in writing and executed by both parties.

RESCISSION OF CONTRACT

The town may rescind this contract at any time upon a determination that the applicant or its users have not adhered to the rules and regulations governing the use of the property and the deposit will be forfeited.

Further, the town reserves the right to terminate the event and rescind the contract without prior notice to the event organizer, in situations that threaten public health, safety and welfare. Such situations include but are not limited to crowds in excess of property capacity, unruly or violent crowds or extreme weather events. The town shall not issue any refunds if an event is terminated pursuant to this section and will not be liable for any additional expenses incurred by the event organizer as a result of termination.

Organization: Dulles Regional Chamber of Commerce

Contact Name: Sheila Dixon Email: president@dulleschamber.org

Today's Date: April 18, 2025

Address: PO Box 327 Herndon, VA 20172

Phone Number: 703-477-6350 Check One: Work

Signature: Sheila Dixon Today's Date: April 22, 2025

Sheila Dixon
President and CEO, Dulles Chamber of Commerce

Signature: Today's Date: 4/22/2025

Scott Robinson, Acting Deputy Town Manager
Town of Herndon
777 Lynn Street, Herndon, VA 20170

Approved as to Form:

Today's Date: 4-22-2025

Lesa, Yeatts, Town Attorney

EXHIBIT A

Site Plan

Site Plan - Friday Night Live! 777 Lynn Street Herndon,VA



Legend:

1. Stage - Herndon Municipal Center
2. Ingress/Egress to Lynn St. and Emergency vehicle access 12' wide
3. Ingress/Egress to W&OD Trail
4. Ingress/Egress to W&OD Trail
5. Ingress/Egress to Center St.
6. Food Vendor with 10x10 canopy
7. Food Vendor with 10x10 canopy
8. Food Vendor with 10x10 canopy
9. Beer Vendor with 10x10 canopy
10. Beer Vendor with 10x10 canopy
11. ID Booth and Event Management with 10x10 canopy
12. Food Vendor with 10x10 canopy
13. Food Vendor with 10x10 canopy
14. Ingress/Egress to Lynn St.
15. Lawn - seating / standing area
16. Portable restrooms – 11 regular + 1 handicap accessible (see attached Portable Toilet Placement)

Site Plan Layout Information - Friday Night Live!

1) Site Map and Legend on previous page

2) Site Map and Legend on previous page

3) There are no permanent buildings within our boundaries. We are located outside.

4) Only 10x10 pop-up canopies, located at Legend numbers 6 through 13.

5) Fire hydrants are located on Lynn and Center Streets.

6) Vehicle Ingress/Egress is Legend item #2 and is 12' wide.

7) Areas to park are all public and located outside of our venue in many various places. Vehicles are not allowed into our event space.

8) Vendor Booths are Legend # 6 through 13.

9) Stage only, no amusements - Legend # 1.

10) Gathering area is Legend # 15. #2-5 are Ingress/Egress points

11) Evacuation routes are legend #'s 2-5. All are staffed with Marshals with radios during event. Crowd managers are located at Legend #11, #1 and stationed throughout the event space. Event boundary is drawn in black line on the photo.

12) None

13) Legend # 6 & #7 & #8 - No more than one 20-pound cylinder, if any.

14) None.

Portable Toilet Placement

for Friday Night Live!

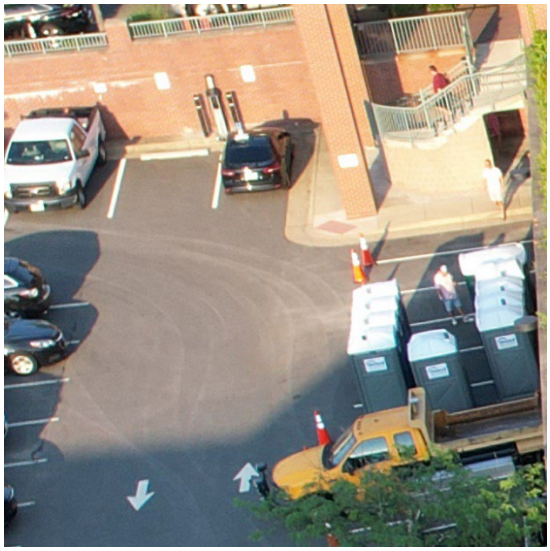
location address: parking lot for 777 Lynn St, Herndon, VA 20170

Units are to be placed in U-shape as seen below with doors facing each other.

There should be 3 empty parking spaces between the bottom of the stairs

and the first unit which is the Handicap Unit – shown on the top right in drone photos.

Jersey barriers were placed between the units and the rest of the parking lot and the units and the empty spaces furthest from the stairs





Drone view of Friday Night Live! during event on July 22, 2022 showing Town Green and parking lot below.

Friday Night Live! Set Up and Clean Up Plan

SET UP

FNL seasonal activities for set up:

Portable restrooms (11 regular + 1 handicap accessible) arrive in Municipal Center Parking Lot by 5/1 and remain until 8/25

Friday Night Live! staff will deliver stage banners to Town by Thursday, April 24.

FNL weekly activities:

Friday Night Live! trailer arrives on Lynn Street around 3:30pm.

Friday Night Live! volunteers set up all our vendor tents and tables between 3:30 – 5:30pm along north side of Green (see site plan).

Food vendors set up all their equipment.

Band and sound set up all their equipment on HMC stage.

Weekly Town activities for set up:

- 1 sponsor banner installed by town above stage weekly before concert along with two vertical side stage banners
- Fencing placed in front of stage
- Trash cans and trash bags with trash pickers
- Block off 12 parking spaces on Lynn St. (for vendors) – all spots on west side of Lynn St from Center Street to Municipal Center and 7 spots on east side from Center Street south
- Fence off monument in back of Town Green
- Set out cones for two parking spaces on Center St. before 5am for light tower and truck
- Block off 7 parking spaces on lower parking lot at HMC for dump trucks (for trash removal) and 3 parking spots between the portable restrooms and stairs
- Un-lock electrical panel box at stage by 5pm
- Set up light tower on top of HMC

Town activities during the event:

- Provide HMC access for bands on nights when needed

CLEAN UP

Friday Night Live! volunteers remove all our vendor tents and tables.

Food vendors remove all their equipment.

Band and sound remove all their equipment.

Friday Night Live! trailer is removed from Lynn St. by 11am on Saturday morning.

Town activities for clean up:

Areas Town is responsible for concerning trash pickup after the event is over:

- Bike trail from Station St., to Bridge.
- Lynn St. from Center St., to Station St., to include trash cans.
- Center St., from bridge to Lynn, to include trash cans
- Lower parking lot
- Underground parking lot
- Hill beside library at bridge, and all areas behind library
- All areas behind HMC, to include trash cans
- All areas around HMC
- Municipal parking lot

Remove bagged trash to DPW shops.

EXHIBIT B
Traffic Plan
N/A

EXHIBIT C
Security Plan

Friday Night Live! Public Safety & Security Plan – 2025

1. Friday Night Live! - Outdoor Summer Concert Series
2. Dates: 5/2, 5/9, 5/16, 5/23, 5/30, 6/6, 6/13, 6/20, 6/27, 7/11, 7/18, 7/25, 8/1 , 8/8 , 8/15 , 8/22 2025 - 6:00-10:30PM
3. Location: Rear of Herndon Municipal Center located at 777 Lynn Street, Herndon, VA 20170
4. Contact Information:

   Property Owner:
   Town of Herndon, Attn. Judy Fry, 777 Lynn Street, Herndon, VA 20170
   Tel: 703-787-7367, Email: judy.fry@herndon-va.gov

   Event Sponsor:
   Dulles Regional Chamber of Commerce, P.O. Box 327, Herndon, VA 20172
   Tel: 571-323-5300

   Key Event Staff:
   Primary: Laura Poindexter, Cell: 703-609-2200, Email: info@herndonrocks.com

5. Event set-up time begins at 4pm each Friday.
6. Approximate number of attendees: 750
7. Event is patrolled by approximately 14 Marshals, most of whom have radios to communicate with each other and event managers as well as cell phones to summon help or call 911. We also have 2 uniformed Herndon Police Department officers on site.
8. The procedure to immediately report any emergency will be via radio if available to event managers, as well as cell phones to 911 or police on site.
9. Evacuation procedures will be via the five ingress/egress points located at each corner of our outdoor venue.
10. All Crowd and Event managers can stop the music and command the PA systems in the event of an emergency.
11. Primary and secondary evacuation routes will be two outdoor paths to Lynn Street, two outdoor paths to the W&OD bike trail and stairs to Center Street.
12. Crowd management plan. Designated and trained crowd managers, including Laura Poindexter, Doug Downer, George Price and others as assigned each night (approximate ratio 1:250) shall appropriately implement the emergency procedures described in this plan. In addition, crowd managers shall also act as fire watch personnel and keep diligent watch for fires, obstructions to means of egress and other hazards during the time our event is open to the public or such activity is being conducted and take prompt measures for remediation of hazards and assist in the evacuation of the public from the event areas. Other Marshals and event staff shall serve as back up or additional crowd managers as needed.

Site Plan - Friday Night Live! 777 Lynn Street Herndon,VA



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12) None

13) Legend # 6 - No more than one 20-pound cylinder, if any.

14) None.

EXHIBIT D
Estimate of Town Services
See Exhibit G

EXHIBIT E
Certificates of Insurance

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/27/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Herndon-Reston Insurance Agency, Inc. t/a HRI Associates
718 Pine Street
Herndon VA 20170

CONTACT NAME:
PHONE (A/C, No, Ext): 703-435-3500 **FAX (A/C, No):**
E-MAIL ADDRESS: certificates@hriassociates.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : CINCINNATI INSURANCE GROUP ^	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED DULLREG-01
Dulles Regional Chamber of Commerce
P.O. Box 327
Herndon VA 20172-0327

COVERAGES **CERTIFICATE NUMBER:** 1110185565 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X **COMMERCIAL GENERAL LIABILITY**	Y		EPP 0497847	9/26/2024	9/26/2025	EACH OCCURRENCE	$ 1,000,000
	[ ] CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
	X Liquor Liability						MED EXP (Any one person)	$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	$ 1,000,000
	X POLICY [ ] PRO-JECT [ ] LOC						GENERAL AGGREGATE	$ 2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
							Liquor Liability	$ 1,000,000
A	**AUTOMOBILE LIABILITY**			EPP 0497847	9/26/2024	9/26/2025	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X **UMBRELLA LIAB** [X] OCCUR	Y		EPP 0497847	9/26/2024	9/26/2025	EACH OCCURRENCE	$ 4,000,000
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$ 4,000,000
	DED [X] RETENTION $ NONE							$
A	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** Y / N	N / A		EWC 0280830	11/12/2024	11/12/2025	X PER STATUTE [ ] OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N **(Mandatory in NH)**						E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
A	Directors & Officers			EMN 0485056	4/24/2024	4/24/2025	Limit Deductible	1,000,000 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Town of Herndon is additional insured with respect to General Liability, Auto Liability & Umbrella Liability with regards to the Friday Night Live Concert series. Coverage is Primary & Non-Contributory. 30 day notice of cancellation or material changes applies.

CERTIFICATE HOLDER

Town of Herndon
777 Lynn Street
Herndon VA 20170

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Chandra Gurnjw

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EXHIBIT F

Receipt for Security Deposit

N/A

EXHIBIT G
Schedule of Services

ATTACHMENT G: SCHEDULE OF SERVICES

The following is for estimation purposes only. Actual costs may vary.
This schedule is intended to list the value of services. It does not reflect acutal charges to the Applicant.
*Fee waived by Town Council

		DURATION PER EVENT (Hrs)	# OF EVENTS	TOTAL HOURS	PER HOUR COST	TOTAL AMOUNT	SUBTOTALS
STAFF							
	POLICE OFFICER #1 (6PM-11PM)	5	16	80	$75	$6,000	
	POLICE OFFICER #2 (6PM-11PM)	5	16	80	$75	$6,000	
	POLICE OFFICER #2 (For HMC date only)	5	1	5	$75	$375	
*							$12,375
	DPW #1 Regular Time	2	16	32	$33	$1,056	
	DPW #2 Regular Time	2	16	32	$33	$1,056	
	DPW #3 Regular Time	2	16	32	$33	$1,056	
	DPW #4 Regular Time	2	16	32	$33	$1,056	
	DPW #5 Regular Time	1	16	16	$40	$640	
*							$4,864
	DPW #1 Overtime	7	16	112	$54	$6,048	
*							$6,048
EQUIPMENT							
	769 (1TON TRUCK)	2	16	32	$35.08	$1,122.56	
	731T (2AXLE TRAILER)	2	16	32	$24.84	$794.88	
	967 (light tower)	4	16	64	$7.97	$510.08	
	112 (PICK UP TRUCK)	8	16	128	$26.27	$3,362.56	
*							$5,790.08
MATERIALS		QUANTITY	# OF EVENTS	TOTAL QUANTITY	RATE	TOTAL COST	
	TRASH BAGS	32	16	384	$0.42	$161.28	
	RECYCLING BAGS	18	16	216	$0.15	$32.40	
	GREEN TRASHCANS	10	16	120	$1.00	$120.00	
	ZIP TIES	0.5	16	6	$27.59	$165.54	
	CONES	19	16	228	$0.50	$114.00	
	CROWD FENCING	10	16	10	5.00	$50.00	
	SMALL TRASH CANS	6	16	72	$1.00	$72.00	
	RECYCLING CANS	9	16	108	1.00	$108.00	
	NITRILE GLOVES	8	16	8	17.00	$136.00	
	T-POSTS	38	16	608	2.00	$1,216.00	
	SNOW FENCING	3.4	16	54.4	2.00	$108.80	
*							$2,284.02
FACILITY		# OF DATES	COST PER DATE			TOTAL COST	
*	TOWN GREEN	16	$500			$8,000	
*	HMC	1	$113			$113	
							$8,113
						TOTAL COST OF TOWN SERVICES	$39,474
						ACTUAL COST TO APPLICANT	$0

EXHIBIT H
Special Permits
Pending