



*City of Saratoga Springs  
Department of Public Works  
474 Broadway  
Saratoga Springs, NY 12866  
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Anthony J. Scirocco  
Commissioner

Joseph J. O'Neill, III  
Deputy Commissioner

Michael B. Veitch  
DPW Business Manager

**AGREEMENT FOR THE USE OF CONGRESS PARK, HIGH ROCK PARK, THE  
WATERFRONT PARK, AND VETERANS MEMORIAL PARK FOR  
HEALTH AND WELLNESS ACTIVITIES**

This Agreement will serve as a confirmation for the use of High Rock Park and/or The Waterfront Park on a continual basis through September 7, 2020 by \_\_\_\_\_

The intended use of this agreement is to allow Saratoga Springs based health and wellness providers, including (but not limited to) trainers, fitness instructors, and yoga teachers, with the opportunity to host classes and sessions without paying a rental fee to the City of Saratoga Springs.

In acknowledgement of the restrictions placed upon health and wellness providers as a result of the COVID-19 pandemic, the Commissioner of Public Works provides the following public policy in accordance with Section 5.2.2 Rental and use, of the City Charter.

- Health and wellness providers can host classes/sessions at High Rock Park and/or the Waterfront Park provided they fill out this rental agreement with the Department of Public Works.
- Saratoga Springs' based health and wellness providers will be exempt from any rental fees but will be required to provide insurance and indemnification requirements as outlined below.
- No permanent equipment can be installed or stored at the parks. There will be a strict carry-in carry-out requirement that will be enforced. Providers and their clients must clean up following their use of the park. No loud speakers, loud music, or other activity interfering with others enjoyment of the park will be authorized.
- Providers must submit an anticipated schedule and location (High Rock or Waterfront Park) to inform the City of routine dates and times of usage.
- The Department of Public Works will resolve any conflicts between providers and/or other renters of the parks. However, location preference will be given to paid renters.

**Insurance and Indemnification:**

You must furnish a Certificate of Insurance naming the City of Saratoga Springs as an *Additional Insured* on a Primary and Non-contributory Basis for General Liability Insurance in the amount of One Million (\$1,000,000) Dollars of per occurrence with a Two Million Dollar (\$2,000,000). The Certificate of Insurance must have a thirty (30) day notification clause for cancellation, termination or notification of material change in conditions. The insurance must be from a duly licensed insurance company authorized to transact business within New York State. Lastly, the Certificate of Insurance must state the date and times of the function you will be holding in High Rock and/or the Waterfront Park. You shall indemnify and hold harmless the City of Saratoga Springs and its Agents and Employees, from and against all claims, damages, losses and expense (including, but not limited to attorneys' fees), arising out of or resulting from the use of High

Rock Park and/or the Waterfront Park, sustained by any person or persons, provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property caused by the tortuous act or negligent act or omission of yourself or your employer, agents or subcontractors.

You, your agents and/or assignees shall be responsible for any and all damages caused by you, your employees, your agents, licensees or guests which occur in the course of your use of High Rock Park and/or the Waterfront Park per the contracted time period. You are responsible for notifying the Department of Public Works of any deficiencies before or after your use of the parks in question.

This Agreement must be signed by you and returned to the Department of Public Works. You understand that this Agreement shall not take effect until it has been signed, returned and approved by the Department of Public Works. Please sign and return this contract to: Department of Public Works, 474 Broadway, Saratoga Springs, NY 12866. It can be emailed to Michael.Veitch@Saratoga-Springs.org.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Location (circle park): Congress | High Rock | Waterfront | Veterans Memorial

Date: \_\_\_\_\_

City Council Approval: 7/21/2020