
1 Broadway Market Seasonal Vendor Application 2018-2019

Dear Prospective Seasonal Vendor:

Returning Vendors: You are asked to carefully read the application and rules as they have changed from the 2018-19 season.

Vendor space is a 10 x 10 only.

All vendors are responsible for obtaining and **must supply a copy** of (1) proof of vendor's General Liability Insurance listing the City of Buffalo, Broadway Market, 999 Broadway, Buffalo, New York as additional insured (2) a signed Indemnification and Insurance form (attached); (3) Vendor Permits (if required by City, County or State); (4) Sales Tax Certification. **Vendors will not be allowed to open without this required documentation.**

Seasonal Vendors, who choose Option 1, must occupy the space every Saturday from 8:00 am – 5:00 pm and all days and hours the Market is open during the Easter Season. Please see event dates listed on page two of application.

All payments will be handled directly through the City of Buffalo's Audit and Control Department. DO NOT SEND A CHECK WITH THIS APPLICATION.

NO CHECKS WILL BE ACCEPTED AT THE MARKET MANAGEMENT OFFICE.

All vendors will be set up with a customer number through the City of Buffalo's Audit and Control Department. Vendors will then receive an invoice through this department. Checks should be made out to the CITY OF BUFFALO and mailed to the address on invoice: Room 117 City Hall, 65 Niagara Square, Buffalo New York 14202. Please include invoice number on check.

*****NEW THIS YEAR:** Payment is due by December 31, 2018. If payment is not received you will not be able to open in 2019. Seasonal vendors applying after January 1, 2019 will have to provide a certified check once application is accepted.

*****NEW THIS YEAR - SEASONAL VENDORS MUST BE OPENING FOR DYNGUS DAY, 4/22/2019 FROM 9:00 am - 5:00 PM (unless you are located in the atrium) No vendor will be allowed to take down displays on Dyngus Day. IF YOU ARE NOT ABLE TO MAKE THIS COMMITMENT PLEASE DO NOT APPLY TO BE A SEASONAL VENDOR. ANYONE CLOSING ON DYNGUS DAY WILL NOT BE INVITED BACK FOR THE 2020 SEASON.**

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OPTION 1-September 21, 2018 – April 22, 2019 \$1,000 plus a \$75.00 Electric charge
If you are using electric for cash register, refrigeration, product machines etc.

If you select Option One, you must be open on Saturdays DURING REGULAR MARKET HOURS and you can also open any other day during this time at no extra charge. Each vendor is **allowed two absences (except for during the Easter Festival when attendance is mandatory)**.

Option 2 –March 30, 2019 – April 22, 2019 \$1,200.00

You must be open every day 8:00 am – 5:00 pm with extended hours the second week of Easter Season plus Sunday, March 31, April 7 & April 14, 2019.

Option 3 - (2 Days) Wine Festival \$100.00

Friday, November 16 and Saturday, November 17, 2018 10:00 am – 4:00 pm

MARKET EVENTS

NOVEMBER Wine Festival November 16 & 17

HOLIDAYS @ THE MARKET kicks off Saturday, November 24 and continues every Saturday through December 24, 2018. **MARKET IS OPEN** Sunday December 16 & Sunday December 23.

JANUARY 19, 2019 – Polka, Piwo and Pierogi Festival

MARCH 5, 2019 Paczki Day (Fat Tuesday)

MARCH 30 & MARCH 31 (SUNDAY) EASTER FESTIVAL SNEAK PEEK

APRIL 5, 2019 – RIBBON CUTTING FOR THE EASTER FESTIVAL

APRIL 5 – APRIL 20 EASTER FESTIVAL

APRIL 21 – EASTER SUNDAY MARKET IS CLOSED

Please note there are three Sundays the market is open during the Easter Festival:

March 31, APRIL 7 & APRIL 14. Sunday hours are 9:00 am – 4:00 pm.

APRIL 22, 2019 DYNGUS DAY MARKET OPENS AT 8:00 AM, ALL VENDORS HAVE TO BE OPEN NO LATER THAT 9:00 AM UNTIL 5:00 PM.

- **Your location may change if a new or existing permanent vendor requires the space.**

*If you **were not** a vendor during the most recent Easter Season, you **must** provide pictures of your products, a picture of your display or call the office to arrange for a review of your proposed products.*

DO NOT SEND A CHECK IN WITH THIS APPLICATION

The Broadway Market will send ALL VENDOR CORRESPONDENCE VIA EMAIL WHEN POSSIBLE- please insure you have spelled your email address correctly.

SPACE ASSIGNMENTS

We cannot assure that your space assignment will be the same as in past years. Broadway Market

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management reserves the right to assign space that best serves the needs of the entire market and the market customers. All decisions are final.

IMPORTANT INFORMATION

1. All seasonal vendor stands, choosing Option 1, must be open and staffed Saturdays from 8:00 am – 5:00 pm and during the entire Easter Festival.
2. Option 1 includes FOUR Sundays: DECEMBER 23, MARCH 31, APRIL 7 & APRIL 14.
3. Vendors must keep their stands attractive and clean. Garbage and recyclables must be disposed of promptly and should not be visible to customers.
3. Vendors will no longer be able to cover tables with tarps. All products left week to week must be put away from view and appropriate signage placed on display saying you are a Saturday vendor.
- *** NEW THIS YEAR:** 4. All display cases, counters, tables etc. must be removed by Friday, April 26, 2019. **THE CITY OF NUFFALO WILL REMOVE ANY DISPLAY CASES NOT REMOVED BY THIS DATE AND YOU WILL NOT BE ABLE TO BE A SEASONAL VENDOR IN 2020.**
5. All vendor merchandise must be contained within the footprint of the rented space. Utilization of adjoining or unused areas is prohibited unless the area has been reserved and paid for.
6. Display requirements to enhance the customer experience:
 - a. Unless a variation is approved in advance, all tables & displays must use either a white or black table cloth/skirting.
 - b. All vendors should plan to bring their own tables, chairs and any other equipment.
 - c. T e n t i n g , Tarps, Awnings, ARE NOT allowed.
 - d. N o t h i n g may be hung; displayed or positioned that will block customer views. A clear field of vision must be maintained. All signage and/or banners must be approved by the Broadway Market Management office. Typical banner size is 2' x 6'.
7. All signage must be professional in look and appearance and be approved by management. No handwritten signs are allowed.
8. Your space cannot be sublet.
9. You cannot bring materials or products that were not included (and approved) on your application. There will be daily checks of your application and goods for sale and you must have sufficient product available throughout your stay. Violations could result in your removal from the market. **Certain products offered for sale by year-round vendors may be protected and not allowed for sale by temporary vendors.** See below.
10. Radios, TV's, electronic speakers, megaphones or horns are not permitted.
11. PERSONAL CELL PHONE USE: Please have a cell phone policy in place for employees. Cell phones should be used for customer purchases only
11. All persons under 18 years of age must be supervised by an adult at all times.
12. The Broadway Market and its management are not responsible for the loss of product or injuries. Vendors are responsible for their own security within their stands.
13. Loading docks are extremely busy – please use them and promptly move your vehicle. Parking

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spaces are available throughout the garage.

14. NOTHING can be hung or affixed to Market walls without permission.
15. No solicitations or raffles.
16. A \$200 fine will be imposed for any violation of Market's rules
17. Vendors must provide their own internet service.

PROHIBITED PRODUCT LIST

CHRUSCIKI	BUTTER LAMBS
HORSERADISH	HORSERADISH MUSTARD
COCKTAIL SAUCE	CHARLIE CHAPLIN
CHOCOLATE DIPPED STRAWBERRIES	

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BUSINESS NAME			
VENDOR NAME(S)			
STREET ADDRESS			
CITY, STATE ZIPCODE			
BUSINESS PHONE		CELL PHONE	
FAX NUMBER			
EMAIL1		EMAIL 2	

ALL PAYMENTS ARE NON-REFUNDABLE

DO YOU NEED ELECTRICITY

YES () NO ()

There is a \$75.00 charge for electricity.

DO YOU HAVE ANY OTHER NEEDS: (Please specify)

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BUSINESS NAME: _____ **Space Number:** _____

PLEASE RETURN THE ATTACHED CHECKLIST – CHECK YES/NO

YES	NO		OFFICE USE
		Completed application	
		List of products being sold	
		Pictures of products and display (if required)	
		Current general liability insurance certificate ADDITIONAL INSURED MUST READ: City of Buffalo, 920 City Hall, Buffalo, NY	
		Signed Insurance Indemnification	
		Copy - Health Inspection Certificate – if you are in the food business	
		Copy – Sales Tax Id Certificate	
		Copy – Business Certificate (filed with County or State)	
		Electricity – Normal	
		Electricity – Cooking, refrigeration (May require additional charge)	
INITIAL BESIDES EACH ITEM and SIGN BELOW			
		1. I have read the application & rules and agree to abide by all management decisions.	
		2. I understand and agree that I have sole responsibility for storage, loss, theft and damage to my stand and its contents.	
		3. I understand that the location of the stand is solely at the discretion of management and may be moved. I understand my tenancy can be canceled for violation of any rules or management request.	
		4. I understand that Market management reserves the right during the entire tenancy to inspect products and to compel their removal for any reason.	
		5. I understand that failure to follow the rules could result in substantial fines, payable before removing product from the Market.	

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Rent Amount: _____ PLEASE NOTE: PAYMENT IN FULL REQUIRED BY 2/ 28/2018

Vendor Signature: _____ Date: _____

Market Manager Signature: _____ Date: _____

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Date _____

City of Buffalo
Office of Strategic Planning
Attention: Christie Nelson
65 Niagara Square
920 City Hall
Buffalo, New York 14202

RE: Indemnification and Insurance Seasonal Tenant at Broadway Market

Tenant: _____

SUBJECT: INDEMNIFICATION AND INSURANCE

_____ ("Seasonal Tenant"), as partial consideration for being allowed to begin or continue Tenant's seasonal tenancy at the Broadway Market, is hereby agreeing to provide and does hereby provide to the City of Buffalo the following indemnification and insurance. The Tenant acknowledges that the City of Buffalo is the owner of the Broadway Market.

In connection with the Tenant's seasonal tenancy and the Seasonal Tenant's business operations at the Broadway Market, the Tenant shall defend and does hereby indemnify and save harmless the City, its officers and employees from all claims, suits, actions, damages, losses and costs of every name and description to which the City may be subjected or put by reason of injury to the person or property of another, or the property of the City, resulting in any degree or manner whatsoever from or in connection with Tenant's business operations and other activities and or resulting from the negligence or carelessness, active or passive, of the Tenant, or the joint negligence, active or passive of the Tenant and others, his, its, or their employees, agents, or sub-tenants or sub-contractors, in connection with the Tenant's business operations at the Broadway Market or otherwise. Tenant's indemnification is without limit.

Tenant shall defend, indemnify and hold harmless the City of Buffalo, its agents, officers, servants and/or employees for all claims or losses for personal injury involving employees of the Tenant or persons working for the Tenant or any sub-tenant, sub-contractor or supplier or any third parties injured during or otherwise in connection with the operations of Tenant's business at the Broadway Market. Tenant's indemnification is without limit.

The Tenant shall secure a policy or policies of general liability insurance and maintain said policy in force during the time of Tenant's seasonal tenancy. Said policy of insurance shall protect against liability arising from operations of Tenant's business associated with Tenant's seasonal tenancy, or in any way relating to Tenant's activities, said policy of insurance to be in the sum of at least \$1,000,000 per occurrence

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for general liability and \$1,000,000 per loss or damage by reason of Tenant's activities in connection with Tenant's business activities at the Broadway Market.

The Tenant shall furnish appropriate certificates of insurance at the time of execution of this letter.

The City of Buffalo shall be named as certificate holder and as an additional insured under the general liability insurance coverage as well as under any excess/umbrella liability coverage if any.

Tenant specifically acknowledges that Tenant has been allowed to begin or continue Tenant's seasonal tenancy at the Broadway Market partly in consideration of this indemnification and insurance letter. Tenant agrees that the City shall have the right to prevent Tenant from opening their business at the Broadway Market at any time that satisfactory evidence of the required insurance is not provided to the City.

City shall have the unilateral right to terminate the seasonal tenancy with or without cause at any time by providing tenant with a written tenancy termination notice which allows a calendar month for the tenant to vacate.

Tenant Signature

Please Print Name

Date

The City of Buffalo signs off on this letter to acknowledge
The City's acceptance of the Tenant's indemnification and
Insurance coverage as described above all in connection with
Tenant's seasonal tenancy at the Broadway Market

City of Buffalo by its
Office of Strategic Planning

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By: Director of Real Estate

Dated: