

## Broadway Market Daily Vendor Application

---

Dear Prospective Daily Vendor:

Thank you for your interest in becoming a daily vendor at the Broadway Market. The Broadway Market is the City of Buffalo's Public Market, owned and operated by the City of Buffalo. Daily vending is only allowed during a Broadway Market Special Event Day ie: Wine Festival, Polka, Piwo and Pierogi Day etc. **DAILY VENDOR OPTION IS NOT ALLOWED DURING THE EASTER SEASON OR ON DYNGUS DAY.**

Please review Section Five to determine whether you can make the commitment to become a daily vendor. Complete this application and return it to the market along with the following documentation. If your product fits within the product offerings of the Market you will be contacted for an interview.

A signed Indemnification and Insurance form (attached)

1. Permits (if required by City, County or State)
2. NYS Sales Tax Certification
3. If you **were not** a vendor during the 2018/2019 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.
4. Insurance will be required once application is approved.  
If selected as a daily vendor you will then have to provide the following proof of general liability insurance in the sum of at least \$1,000,000 per occurrence and \$1,000,000 per loss or damage by reason of vendor's activities in connection with vendor's business activities at the Broadway Market. Please refer to Section Three.

Please note, Empire State Development, in collaboration with the City of Buffalo, is reviewing recommendations for the Broadway Market. The daily vendor option may not be available after this year.

Sincerely,

Broadway Market Management Office

## Broadway Market Daily Vendor Application

### Section 1: BUSINESS INFORMATION

Applicant Name \_\_\_\_\_

D/B/A Trade Name \_\_\_\_\_

Type of Business \_\_\_\_\_

EIN#/Federal Tax ID# \_\_\_\_\_

**TYPE OF PRODUCT** \_\_\_\_\_

### Section 2: CONTACT INFORMATION

Business Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Home Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_ Website \_\_\_\_\_

Phone: business \_\_\_\_\_ cell \_\_\_\_\_ Can we give this number out **Y** **N**

### Section 3: Documents

1. Please provide a copy of your NYS Tax I.D. and all other required permits if applicable (ie: NYS Agriculture & Markets permit.)
2. Vendors with prepared foods must provide a physical copy of an Erie County Department of Health Certificate and a copy of proposed menu.
3. Provide proof of general liability insurance in the sum of at least \$1,000,000 naming the City of Buffalo, Broadway Market, 999 Broadway, Buffalo, NY 14212 as additionally insured.
4. Provide make of vehicle and license plate number \_\_\_\_\_.

## Broadway Market Daily Vendor Application

### Section 4: Payments

Daily vending rates are \$25.00/day for a 10 x 10 space. All product and display items must be removed at the end of the day unless participating in a festival that runs consecutive days i.e. Wine Festival.

Check or money order should be made out to the City of Buffalo and attached to the application.

There will be a \$20.00 fee for all Dishonored Checks, no exceptions. If two checks are returned within a season, vendors will have to pay with a certified check.

Vendors whose payments are in arrears will not be allowed to vend until payment is up to date.

### Section 5: Rules and Regulations

1. Daily vendor stands must be staffed from 8:00 am – 5:00 pm. Please make sure you make arrangements in case of an emergency.
2. All tables and product must be removed at the end of the day unless you have been approved for a festival that runs consecutive days i.e. Wine Festival.
3. Vendors must keep their stands attractive and clean. Garbage and recyclables must be disposed of promptly and should not be visible to customers.
4. All vendor merchandise must be contained within the footprint of the rented space. Utilization of adjoining or unused areas is prohibited.
5. Vendors are prohibited from hawking, shouting, using megaphones, or horns to attract customers.
6. PERSONAL CELL PHONE USE: Please have a cell phone policy in place for employees. Cell phones should be used for customer purchases only
7. All persons under 18 years of age must be supervised by an adult at all times.
8. 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.
9. Loading docks are extremely busy – please use them and promptly move your vehicle. Parking spaces are available throughout the garage.
10. NOTHING can be hung or affixed to Market walls without permission.
11. No solicitations or raffles.

## Broadway Market Daily Vendor Application

---

**If you need further information and/or guidance on the above please call:  
The Broadway Market Management Office: (716) 893-0705**

**VENDOR SIGNATURE ON THIS DOCUMENT VERIFIES THAT THE VENDOR HAS  
CAREFULLY READ, UNDERSTANDS AND AGREES TO ALL PROVISIONS OF THIS  
APPLICATION.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Date Application Received** \_\_\_\_\_

**Signature of Market Manager** \_\_\_\_\_

**Date Approved** \_\_\_\_\_

**If not approved reason** \_\_\_\_\_

For the purpose of the City of Buffalo Public Market:

1. NYS Farmers – Vendors who grow agricultural products in New York State. Agricultural products include: vegetables, fruit, fish, dairy and related products, including honey and syrup, livestock, live plants, herbs, spices and flowers.
2. Other Foods – Vendors of Other Foods such as Agricultural Products (as defined above) not grown in New York State and other edible items including: baked goods, jams, jellies, etc.
3. Arts and Crafts- Vendor of handmade arts and crafts. All products being sold must be handmade by vendor.
4. Prepared Foods: Prepared foods are limited to specialty items, intended to be consumed on-site. \*Note: Additional vendors of hot dogs, hamburgers, Polish sausage or other types, pierogi or traditional breakfast items will not be considered for placement.
5. General Merchandise – Vendors of New General Merchandise which may include tee-shirts, pottery, jewelry, toys and other non-edible products.

## Broadway Market Daily Vendor Application

---

City of Buffalo  
Office of Strategic Planning  
Department of Real Estate  
65 Niagara Square  
920 City Hall  
Buffalo, New York 14202

RE: Indemnification and Insurance Daily Vendor at Broadway Market

Vendor Name: \_\_\_\_\_

### SUBJECT: INDEMNIFICATION AND INSURANCE

\_\_\_\_\_ (“Daily Vendor”), as partial consideration for being allowed to begin vendor’s 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 vendor’s tenancy and the daily vendor’s business operations at the Broadway Market, the vendor 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 vendor’s business operations and other activities and or resulting from the negligence or carelessness, active or passive, of the vendor, or the joint negligence, active or passive of the vendor and others, his, its, or their employees, agents, or sub-tenants or sub-contractors, in connection with the vendor’s business operations at the Broadway Market or otherwise. Vendor’s indemnification is without limit.

Vendor 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 Vendor or persons working for the Vendor or any sub-tenant, sub-contractor or supplier or any third parties injured during or otherwise in connection with the operations of vendor’s business at the Broadway Market. Vendor’s indemnification is without limit.

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

## Broadway Market Daily Vendor Application

---

per loss or damage by reason of Vendor's activities in connection with Vendor's business activities at the Broadway Market.

The Vendor 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.

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

\_\_\_\_\_  
Vendor 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  
Vendor's daily tenancy at the Broadway Market

City of Buffalo by its  
Office of Strategic Planning

\_\_\_\_\_  
By: Director of Real Estate

**Dated:**