

Broadway Market Easter 2021 Vendor Application

Dear Prospective Easter Season Vendor:

Thank you for your interest in becoming a vendor at the Broadway Market during the Easter 2021 season. The Broadway Market is the City of Buffalo's Public Market, owned and operated by the City of Buffalo. Dates for the Easter 2021 Season are March 6, March 13 and March 20 through April 3, 2021. Easter Monday, April 5, 2021 will depend on status of Dyngus Day.

Please review Section Five to determine whether you can make the commitment to become a 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.

All Erie County and NYS COVID-19 mandates will be in place including face mask requirements, hand sanitizer and social distancing.

1. A signed Indemnification and Insurance form (attached)
2. NYS Business Safety Re-opening Plan (attached)
3. Permits (if required by City, County or State)
4. NYS Sales Tax Certification
5. If you **did not submit an application** for the 2020 season, you **must** provide pictures of your product(s), a picture of your display or call the office to arrange for a review of your proposed products.
6. Insurance will be required once application is approved.
If selected as a 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.

Sincerely,

Broadway Market Management Office

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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 _____.

Section 4: Payments

999 Broadway, Buffalo, New York 14212
716-893-0705 FAX 716-851-5590

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The vending fee for the 2021 season is \$950.00. The City of Buffalo's Department of Audit and Control will set up a customer number for your business and send you an invoice. All checks and/or money orders must be made out to the City of Buffalo. Payment in full required by February 28, 2021.

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.

COVID-19 – A partial refund will be given based on number of days open should the Broadway Market receive notice that all non-essential businesses must close.

Section 5: Rules and Regulations

1. No vendor can sell what is being produced in the Broadway Market by a year round vendor (i.e. pierogi, jams, jellies, salsa, sausage, horseradish, chocolate figures, chocolate covered strawberries, Charlie Chaplin, gourmet candy apples, nuts and kettle corn)
2. No vendor can sell an item that is already being sold by two or more permanent market vendors (ie pierogi, jams and jellies).
3. No Tee Shirt sales unless approved by management office.
4. Vendor stands must be staffed:
Saturday March 6, March 13 and March 20 8:00am – 5:00pm
Sunday March 21 and March 28 9:00am – 4:00pm
Monday March 22 through Saturday March 27 8:00am -5:00pm
Monday March 29, Tuesday March 30 & Wednesday March 31st 8:00 am – 7:00 pm
Holy Thursday April 1 8:00 am – 7:00 pm,
Good Friday April 2 6:00 am – 7:00 pm
Holy Saturday April 3 6:00 am – 5:00 pm
Please make sure you make arrangements in case of an emergency.
5. Vendors must keep their stands attractive and clean. Garbage and recyclables must be disposed of promptly and should not be visible to customers.
6. All vendor merchandise must be contained within the footprint of the rented space. Utilization of adjoining or unused areas is prohibited.
7. Vendors are prohibited from hawking, shouting, using megaphones, or horns to attract customers.
8. PERSONAL CELL PHONE USE: Please have a cell phone policy in place for employees. Cell phones should be used for customer purchases only
9. All persons under 18 years of age must be supervised by an adult at all times.
10. 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.

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11. Loading docks are extremely busy – please use them and promptly move your vehicle. Parking spaces are available throughout the garage.
12. NOTHING can be hung or affixed to Market walls without permission.
13. No solicitations or raffles.

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**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.

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PRODUCT FOR APPROVAL

Products must be approved in advance by the office. **PLEASE BE SPECIFIC** –example: candy is not specific enough, plants is not specific enough etc. This list will be checked for compliance. Your adherence to the list will insure a smooth operation for everyone.

PRODUCT	DESCRIPTION – PHYSICAL AND UNIQUE CHARACTERIST	% OF YOUR TOTA L	APPROVED		COMMENT
			YES	NO	

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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 Vendor at Broadway Market

Vendor Name: _____

SUBJECT: INDEMNIFICATION AND INSURANCE

_____ (“Vendor”), as partial consideration for being allowed to begin or continue Tenant’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 Tenant’s tenancy and the 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

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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 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 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.

Tenant Signature

Please Print Name

Business Name

Dated ___/___/2021

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 daily tenancy at the Broadway Market

City of Buffalo by its

Office of Strategic Planning

Director of Real Estate

Dated ___/___/2021