
1 Broadway Market Seasonal Vendor Application 2021-2022

Dear Prospective Seasonal Vendor:

Thank you for your interest in becoming a seasonal vendor at the Broadway Market. The Broadway Market is the City of Buffalo's Public Market, owned and operated by the City of Buffalo.

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

1. A signed Indemnification and Insurance form (attached)
2. Permits (if required by City, County or State)
3. NYS Sales Tax Certification
4. If you **were not** a vendor previously at the Broadway Market, 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.
5. Insurance will be required once application is approved.
If selected as a seasonal 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

2 Broadway Market Seasonal Vendor Application 2021-2022

Section 1: BUSINESS INFORMATION

Applicant Name _____

D/B/A Trade Name _____

Type of Business _____

EIN#/Federal Tax ID# _____

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 (i.e.: 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 _____.

3 Broadway Market Seasonal Vendor Application 2021-2022

Section 4: Payments

October 2020 – April 2021 \$950, 10 x 10 space, plus electric, if applicable, based on equipment.
Payment due by March 1, 2022
Fall Wine Festival Only – November 19 & November 20, 2021 \$100.00, 10 x 10 space. Payment must accompany application. Check or money order made out to the City of Buffalo.
Holiday Fair @ the Broadway Market Only– December 4, 11, 18 & 19. \$200.00 10 x 10 space.
Payment must accompany application. Check or money order made out to the City of Buffalo.
EASTER FESTIVAL ONLY April 1, 2022 – April 18, 2022 \$1,200 for a 10 x 10 space Must be paid by March 1, 2022

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's management office.

All vendors will be set up with a customer number through the City of Buffalo's Audit and Control Department. Vendor 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.

Payments are non-refundable

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 or have outstanding balance as market vendor will not be allowed to vend until payment is up to date.

Section 5: Rules and Regulations

1. No vendor can sell what is being produced in the market by a year-round vendor (i.e. pierogi, jams, jellies, salsa, horseradish, chocolate covered strawberries, 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. All seasonal vendor stands must be staffed Saturdays from 8:00 am – 5:00 pm and additional hours during the holiday seasons. Please make sure you make arrangements in case of an emergency.

Holiday Dates:

Saturday, October 16, 2021 – Half-Way to Dyngus Day

Friday & Saturday, November 19 & 20, 2021 – Fall Wine Festival

Wednesday, November 24, 2021 (optional)

Saturday, December 4, 11 and 18th, 2021 Holidays @ the Market

Sunday, December 19, 2021 Holidays @ the Market 9:00 am – 4:00 pm

4 Broadway Market Seasonal Vendor Application 2021-2022

- Monday, December 20- Friday, December 24 (optional) Market closes at 3:00 pm
Tuesday, March 1, 2022 – Paczki Day (optional)
Friday, April 1, 2022 –Saturday, April 16, 2022 Easter Festival
Monday, April 18, 2022 Dyngus Day – (Depending on whether there is a Dyngus Day Parade)
4. Vendors must keep their stands attractive and clean. Garbage and recyclables must be disposed of promptly and should not be visible to customers.
 5. 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 open 8:00 am – 5:00 pm.
 6. All vendor merchandise must be contained within the footprint of the rented space. Utilization of adjoining or unused areas is prohibited.
 7. 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 tablecloth/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 unless authorized by Market Management.
 - 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'.
 8. All signage must be professional in look and appearance and be approved by management. No handwritten signs are allowed.
 9. Your space cannot be sublet.
 10. 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.
 11. Vendors are prohibited from hawking, shouting, using megaphones or horns to attract customers.
 12. PERSONAL CELL PHONE USE: Please have a cell phone policy in place for employees. Cell phones should be used for customer purchases only
 13. All persons under 18 years of age must be supervised by an adult at all times.
 14. The Broadway Market and its management are not responsible for the loss of product or injuries.
 15. Vendors are responsible for their own security within their stands.
 16. Loading docks are extremely busy – please use them and promptly move your vehicle. Parking spaces are available throughout the garage.
 17. NOTHING can be hung or affixed to Market walls without permission.
 18. No solicitations or raffles.
 16. DYNGUS DAY – If there is a Dyngus Day Parade on 4/18/2022 all vendors will have to be open from 9:00 am – 5:00 pm.
 19. A \$200 fine will be imposed for any violation of Market's rules

5 Broadway Market Seasonal Vendor Application 2021-2022

Section 6: Checklist

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.	

6 Broadway Market Seasonal Vendor Application 2021-2022

Section 7: Signature Page

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.

- Rent Amount: _____ Electric Charges _____
- * Vendor Space number _____ Square footage _____
- * Your location may change if a new or existing permanent vendor requires the space.
-

PLEASE NOTE: PAYMENT IN FULL REQUIRED BY DECEMBER 31, 2019

Signature: _____ Date: _____

Date Application Received _____

Signature of Market Manager _____

Date Approved _____

If not approved reason _____

7 Broadway Market Seasonal Vendor Application 2021-2022

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 TOTAL	APPROVED		COMMENT
			YES	NO	

Date _____

8 Broadway Market Seasonal Vendor Application 2021-2022

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

/ /2021

RE: Indemnification and Insurance Seasonal Tenant at Broadway Market

Vendor Name: _____

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 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.

9 Broadway Market Seasonal Vendor Application 2021-2022

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

By: Director of Real Estate

Dated: