



City of Albany, NY  
Office of Cultural Affairs  
City Hall  
24 Eagle Street, 4<sup>th</sup> Floor  
Albany, New York 12207  
(518) 434-2032  
[WWW.ALBANYEVENTS.ORG](http://WWW.ALBANYEVENTS.ORG)

KATHY M. SHEEHAN  
MAYOR

February 10, 2017

Dear Prospective Vendor,

The Alive at Five Concert Series is returning to Jennings Landing this year for its 28<sup>th</sup> season. This series has proven to be a staple of summer in the Capital Region, showcasing a diverse lineup of big names, up-and-coming acts and the region's most talented original artists. Alive at Five offers eight weeks of free, critically-acclaimed concerts catering to nearly every taste.

Again this year we are looking to accept applications for a limited number of food vendors to fill the concert series with high-quality and diverse menus for patrons to enjoy. Enclosed, please find an application packet. The information sheet explains the application process each vendor must follow. Please use the application sheet provided and be sure to understand the policies and procedures of vendor participation. Applications must be received no later than April 21.

The concert series dates are June 8, June 15, June 22, June 29, July 13, July 20, July 27, and August 3, 2017. All of the Alive at Five concerts will be held at Jennings Landing at the Corning Preserve, or at the Corning Preserve Boat Launch in cases of inclement weather. Vendors must be available for the entire eight-week series to be considered.

On behalf of the City of Albany Office of Cultural Affairs, we look forward to receiving your application for 2017 Alive at Five. If you have any questions regarding the application process, please contact me at (518) 434-5416 or [mkimble@albanyny.gov](mailto:mkimble@albanyny.gov).

Sincerely,

*Monique M. Kimble*

Monique Kimble  
Logistics Coordinator  
City of Albany Office of Cultural Affairs

## 2017 City of Albany Alive at Five Concert Series Jennings Landing

Please be sure to read and understand the following policies and procedures of vendor participation prior to filling out application. Failure to adhere to these or to submit all necessary information required will result in immediate rejection.

### General Information:

The 2017 Albany Alive at Five will take place **June 8, June 15, June 22, June 29, July 13, July 20, July 27, and August 3, 2017 at Jennings Landing** (1 Quay Street Albany, NY 12207). Vendors will be allowed to sell from 4:00pm-8:00pm.

### Selection Procedure and Application Deadline:

Screening of the applications will be conducted by a jury of experts. Careful consideration will be made for City of Albany businesses. However, all vendors will ultimately be determined and selected based on specific application criteria and the overall integrity of the event. Failure to provide all information required may result in immediate rejection.

***Application deadline is April 21, 2017.***

### Standards:

- All vendors must meet all Albany County Health Department temporary food service permit requirements.
- Glass bottles are prohibited at all City of Albany events.
- Albany's "Going Green" initiative prohibits the use of polystyrene foam containers, cups, or bowls. Please review your policy and procedure rule #9 for additional details.

### Booth Space:

20' long by 10'. Tents and displays cannot be staked into the ground.

### Additional Information:

Complete instructions will be sent with your acceptance notifications.

### Vendor Fees:

One (1) check or money order made payable to "**The City of Albany**" for **\$2,400** booth fee (covering all 8 weeks).

All vendor fees must be included with the submission of your application. The City will not accept personal checks from any vendor who has had a check returned for insufficient funds. In this case payment must be made via certified check or money order.

### Fire Safety Requirements:

- Exhibitors that are cooking and/or vending food products (other than using deep-fryers) shall at all times have a 9 lb minimum, commercial grade, ABC-type fire extinguisher within the permitted exhibition space.
- Exhibitors that are using **deep fryers** shall at all times have a **6-liter, K-type fire extinguisher** within the permitted exhibition space.
- Exhibitors shall allow the Albany Fire Department to inspect said fire extinguisher, as well as the permitted exhibition space.

***The City of Albany and Alive at Five personnel maintain the right to close any vendor not in compliance with the above policy.***

**VENDOR PERMIT APPLICATION**  
**2017 Albany Alive at Five Concert Series**  
**Thursday Evenings, June 8 - August 3, 2017**  
*Application deadline for food vendors is April 21, 2017.*

Fill out completely and please print:

Name: \_\_\_\_\_  
Last First

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (work) \_\_\_\_\_ (home) \_\_\_\_\_ Sales Tax I.D or S.S.# \_\_\_\_\_

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

Menu with prices (please provide a sample menu, including beverages and prepackaged foods):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vending experience:

\_\_\_\_\_  
\_\_\_\_\_

Booth space size: 20' X 10'

Photo: Vendor should attach a diagram and/or photo of booth and any signs/menus to be used.

Permit Fee: Make check or money order payable to the "**City of Albany**" for **\$2,400**  
(covering entire 8 week concert series)

No refunds. In case of rain, concerts will be held at the Corning Preserve Boat Launch.

Vendors must provide their own electricity, water, tables and chairs.

The terms and conditions of my participation include adherence to the policies and procedures attached to this application. My signature affixed hereto is confirmation that I have read these policies and procedures and will abide by its terms.

Signature of Vendor: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

Please send to:

City of Albany  
Office of Cultural Affairs  
City Hall, Room 402  
Albany, NY 12207  
Attn: Monique Kimble

**2017 Albany Alive at Five Concert Series**  
*Policies and Procedures*

1. Only one business or organization may operate in each exhibit space. Sharing of booth space with other businesses or organizations is prohibited. Booth/tent space may not be reassigned or sublet. Vendors may not distribute, display, or sell products, literature, or other items from any business or organization other than the one specifically contracted with the City of Albany to rent the booth or tent space.
2. The City of Albany reserves the right to change the location, dates, hours, or to terminate entirely the operation of the scheduled event, at any time and without prior notice to the vendor. The City of Albany will make reasonable efforts to provide advance notice to vendors of any changes or cancellations.
3. Items and products:
  - a. A Vendor Application must be completed, including a full list of all items or products to be sold, distributed free or sampled; these must be approved by the City of Albany prior to the start of the event.
  - b. No items or products may be sold or distributed free without prior consent of the City of Albany.
4. General Rules for Vendors:
  - a. Vendors must provide their own water, electric, tables and chairs.
  - b. Vendors must make their own arrangements for transport of their products, equipment, etc. to and from their exhibit spaces; event personnel are not available to assist, and the event cannot provide storage space for product, equipment, literature, etc. for Vendors.
  - c. Vendors must take full responsibility for set-up and other display materials; Alive at Five personnel will establish set-up and takedown times.
  - d. Vendors must have personnel present and in their booths at all times during the official operating hours of the event: **4:00pm to 8:00pm** daily.
  - e. **Vendors may not open or close earlier or later than the official operating hours**, without express permission of Alive at Five personnel.
  - f. Vendors must keep all displays, merchandise, etc. within the confines of the tent or space itself.
  - g. Vendors must keep boxes and cartons out of sight.
  - h. Vendors must maintain a neat and clean area, and provide refuse bags to condense and secure all waste produced by the booth.
  - i. Vendors may not hawk, peddle, sell, or advertise outside the assigned area.
  - j. Vendors may not distribute literature or other items to passers-by while standing outside of the assigned area.
  - k. Vendors may not have music or conduct activities that may be disruptive to neighboring Vendors, passers-by, or Alive at Five personnel; City of Albany/Alive at Five personnel reserve the right to make such determinations.
  - l. Vendors must return the areas to their pre-event condition (if repair and cleaning costs are incurred and the City of Albany/Alive at Five personnel determine Vendor is responsible, the Vendor will be billed for the cost of the repair.) Also, the Vendor must comply with the September 1, 1992 New York State Source Separation Law when vending in the City of Albany (separate all waste for proper recycling and disposal).
  - m. Vendors must comply with the event's parking regulations.
  - n. With the exception of food trucks or trailers, no vehicles of any type may be driven on the grass or sidewalks or parked on or near exhibitor's assigned location during the event.
  - o. The City of Albany may, for publicity purposes, use any photographs and information received or obtained.
  - p. Vendors must operate their business in a professional manner. At the discretion of the City of Albany, any Vendors, or any agents or employees of the Vendor who do not conduct themselves in a professional manner and according to the policies contained herein may be removed from the event. Event coordinators reserve the right to remove any objectionable merchandise from any booth. No merchandise shall be displayed or sold with the name "Alive at Five" in any form.
  - q. Vendors that are using an electric generator or any other motor must soundproof that device to the satisfaction of the City of Albany. (This will be strictly enforced due to continual complaints. We suggest anyone using a generator either have a backup onsite that runs more quietly or to have their current one serviced. The City of Albany does have the right to make anyone not conforming to this or any policies or procedures shut down for the remainder of the event.)
  - r. If requested, vendors shall provide receipts of merchandise. Refunds will also be given if the purchaser is unsatisfied with quality.
  - s. **Vendors that are cooking and/or vending food products (other than using deep-fryers) shall at all times have a 9lb minimum, commercial grade, ABC-type fire extinguisher within the permitted exhibition space. Vendors that are using deep fryers shall at all times have a 6-liter, K-type fire extinguisher within the permitted exhibition space. Vendors shall allow the Albany Fire Department to inspect said fire extinguisher, as well as the permitted exhibition space. The City of Albany maintains the right to close any exhibit not in compliance with the above policy.**
  - t. Vendor must comply with City tobacco free-park legislation [Ordinance 38.52.14]. Effective January 1, 2015, all parks in the City of Albany are curb-to-curb tobacco-free. Smoking of any kind is prohibited. Vendors in violation of this policy may be subject to fine and may face revocation of permit or termination of contract for events.

5. Permits/Certificates:

- a. Vendors are solely responsible for collecting and paying all New York State sales taxes and shall properly display their New York State Sales Tax Certificate.
- b. Vendors are responsible for obtaining and displaying event permits as required, and operating within any local, state, or federal guidelines or laws.

6. Vendor is solely liable for equipment (installation, operation, and tear down), and any other personal property at the event. Vendor represents he or she has insurance coverage for said items to cover loss due to vandalism, theft, or any other casualty. Security is provided at specific designated times; however, any losses due to fire, theft, damage, or injury are the sole responsibility of the Vendor. It is specifically agreed that the City of Albany, Alive at Five and Alive at Five personnel shall be held harmless for any claim of theft, vandalism, casualty, or loss.

7. The Vendor shall defend, indemnify, and save harmless the City of Albany, Alive at Five, Alive at Five personnel, and their employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorney's fees) arising out of, or in consequence of, any negligent or intentional act or omission of the Vendor and/or the Vendor's employees or agents, to the extent of the responsibility of the Vendor and/or the Vendor's employees or agents for such claims, damages, losses, and expenses.

8. **Food vendors must procure and maintain Commercial General Liability insurance coverage with limits of \$1,000,000 for each occurrence. An insurance certificate evidencing insurance coverage must be submitted not later than April 21, 2017.**

9. **Vendors will be prohibited from the use of polystyrene foam containers, cups, or bowls. Also known as "Styrofoam", these items are usually marked with the following symbol:**



**Any vendor found using the above mentioned products marked with this symbol will receive a warning. A second offense will result in immediate termination of contract and removal from event without a refund of vending fee. Moreover, no products shall be sold in glass containers.**

10. Vendor shall not bring any animal or pet of any kind within the event, except any animal as defined as a service animal under the Americans with Disabilities Act (ADA); this includes vendor booth spaces.

**I understand and agree to abide by the above policies and procedures. Upon acceptance of my application, this form will be binding and will represent the terms of the permit agreement. I understand that the City reserves the right to remove any vendor, at any time, from vending during the concert series, without refund, if vendor is in violation of the City's Policies and Procedures.**

Authorized Signature \_\_\_\_\_

Vendor Name (please print) \_\_\_\_\_ Date \_\_\_\_\_

Please return with application to:  
City of Albany  
Office of Cultural Affairs  
City Hall, Room 402  
Albany, NY 12207  
Attn: Monique Kimble

## **2017 City of Albany Alive at Five Application Check List:**

- Application filled out completely. Incomplete applications may be dismissed.
- Policies and Procedures read and signed.
- Enclose a diagram or photo of the booth and any signs/menus to be used.
- One (1) check or money order for \$2,400 made payable to The City of Albany.
- Proof of Commercial General Liability insurance, along with workers compensation (C105.2) and disability (DB-120.1) or a Certificate of Attestation of Exemption (CE-200).

**APPLICATION MUST BE RECEIVED BY APRIL 21, 2017**

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ATTN: Monique Kimble