



Alive 5 CONCERT SERIES

FOOD VENDOR APPLICATION

June through July 2025 Thursday's 4:30 PM – 8:00 PM

Event Summary

The 35th season of the Alive at Five Concert Series returns to Jennings Landing this summer, offering six weeks of free concerts featuring renowned, emerging, and local talent across diverse music genres—a summer highlight in the Capital Region.

We're now accepting applications for food vendors. **New this year:** Vendors can commit to either a full six (6)-weeks series or a half-series three (3) weeks. Please select the option that aligns best with your goals. Concert dates are June 5, 12, 19, 26, and July 10, 17 with a rain location at the Corning Preserve Boat Launch. Vendors must commit to at least three dates.

Applications must be postmarked by April 25th, 2025. The enclosed packet includes the application, guidelines, and policies. For questions, contact Andre Cowan, Program Aide, at 518-434-5416 or vendors@albanyny.gov.

Application Guidelines

1. **Rain or Shine Policy:** Alive at Five will take place rain or shine. No refunds will be issued due to inclement weather except in cases of force majeure. In case of rain, the event will move to the Corning Preserve Boat Launch. Vendors will be notified of changes 24 hours in advance.
2. **Health Department Compliance:** All vendors must comply with Albany County Health Department requirements for a temporary food service permit. See page 4 for more information.
3. **Prohibited Items and Vendors:** Glass bottles, Styrofoam containers, as well as the sale, sampling, distribution, and promotion of products or materials related to political campaigns, alcohol products (with the exception of confections containing an alcohol content of no more than five percent (5%), per volume) and all CBD/THC products are strictly prohibited. See pages 5 & 6 for more information.
4. **Selection Process:** An independent jury appointed by the City of Albany will oversee the selection process. All decisions by the jury are final. The City of Albany does not hold the Grandfather-in clause to any vendor.
5. **Evaluation Criteria:** Applications will be evaluated based on specific criteria and the overall quality and integrity of the event.
6. **Incomplete Applications:** Applications lacking the required information will be considered incomplete and subject to rejection.
7. **Booth Specifications:** Please provide details such as booth length, width, and serving side to ensure appropriate space allocation (30'L x 10'W). Due to limited space, any application over 30'L x 10'W is subject to rejection.
8. **Photo Submission:** Submit high-quality photos of your booth setup along with a complete full menu and pricing. These images are crucial for the jury evaluation. Vendors who deviate from their submitted materials during the event will not be allowed to participate in future events.



5 Alive at Five 2025 Food Vendor Application Form

Business Owner Name(s): _____ Business Name: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Business Phone: _____ Mobile: _____ Email: _____

Select all food categories that apply:

<input type="checkbox"/> African	<input type="checkbox"/> American	<input type="checkbox"/> Asian	<input type="checkbox"/> Beverage	<input type="checkbox"/> BBQ	<input type="checkbox"/> Caribbean
<input type="checkbox"/> Desserts	<input type="checkbox"/> Fair Food	<input type="checkbox"/> Greek	<input type="checkbox"/> Indian	<input type="checkbox"/> Italian	<input type="checkbox"/> Kettle Corn
<input type="checkbox"/> Latin	<input type="checkbox"/> Pizza	<input type="checkbox"/> Seafood	<input type="checkbox"/> Vegan	<input type="checkbox"/> Vegetarian	<input type="checkbox"/> Other: _____

Website: _____ Instagram Account (Please list username) _____

Description of Attached Photos: **Including menu items, pricing, booth display**
(Please provide comprehensive and accurate descriptions to avoid duplication of vendor offerings).

1: _____

2: _____

3: _____

4: _____

Media Release: By checking this box, you authorize the City of Albany Office of Cultural Affairs to use photos you submitted for promotional purposes.

Two vendor parking permits will be provided onsite at this event. Provide information for the vehicle/trailer permit.
(Please Note: all vehicles must be off-site after load-in hours)

Vehicle Plate Number _____

Trailer Plate Number _____

State Plate Issued _____

State Plate Issued _____

Make, Model & Color _____

Trailer Color _____

Were you a Food Vendor at last year's Alive at Five? Yes ___ No ___

(Please Note: The City of Albany does not hold the Grandfather clause to any vendor)



5 Alive at Five 2025 Food Vendor Fees

Select Booth Size category you are applying for:

Category	Booth Size	Booth Fee
<input type="checkbox"/> Food Row -Standard food section	<input type="checkbox"/> 30'L x 10'W -Selecting this option confirms booth dimension falls within the range	<input type="checkbox"/> \$1,350 Entire 6-week series (June 5, 12, 19, 26, July 10, 17) <input type="checkbox"/> \$750 First 3 weeks (June 5, 12, 19) <input type="checkbox"/> \$750 Second 3 weeks (June 26, July 10, 17)

Select if you would like to provide meal vouchers for event volunteers:

<input type="checkbox"/> Volunteer Meal Voucher Opportunity: -Vendor provides volunteers with meal options -Use standard-priced voucher (\$12 Value) -Payment received 2-4 weeks after the event	Must Provide: -Menu -Signed notary contract (upon approval) -Taxpayer identification number & certification (W9)
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Payment Instructions:

Checks or money orders should be payable to "THE CITY OF ALBANY" and submitted along with the application.

Registration Deadline:

All completed applications must be postmarked on **Friday, April 25th, 2025**. The acceptance letter will be sent out on **Monday, May 5th, 2025**.



5 Alive at Five 2025 Licenses and Insurance

1. Vendors are required to provide a certificate of proof of Workers' Compensation (C105.2) and Disability (DB-120.1), or a certificate of Attestation of Exemption (CE-200) attached to the application.
2. Vendors must procure and maintain Commercial General Liability insurance coverage with limits of \$1,000,000 for each occurrence. As an attachment to the application, Food vendors must submit a certificate proof of Commercial General Liability insurance, stating the name of the event, the date, and the following parties as additional insured on a primary and non-contributory basis:


City of Albany
24 Eagle Street
Albany, NY 12207

Albany County
112 State Street
Albany, NY 12207

3. Vendors are solely responsible for their equipment and property during the festival, including setup and breakdown, and must have insurance to cover losses from theft, vandalism, or other risks. Although security is provided at certain times, any loss or damage is the exhibitors' responsibility. The City of Albany, Alive At Five, and event staff are not liable for theft, vandalism, or damages. Exhibitors must secure their tents and equipment after event hours and assume full responsibility for them outside of those hours.
4. Vendors must abide by all current NYS Department Health safety guidelines.
5. Vendors are solely responsible for collecting and paying all New York State sales tax during the event and shall properly display their New York Sales Tax Certificate at their booth.
6. All approved food vendors will be issued a temporary Health Permit once their items are approved by the Department of Health.
7. Vendors agree to defend, indemnify, and hold harmless the City of Albany, including its employees and agents, from any claims, damages, losses, and expenses (including reasonable attorney's fees) resulting from any negligent or intentional actions or omissions by the vendor or their employees. This obligation applies to the extent that the vendor or their employees or agents are responsible for such claims, losses, and expenses.



5 Alive at Five 2025 Rules and Regulations

1. Only one business or organization is allowed per booth. Sharing, subletting, or reassigning booth space is prohibited. Vendors may only distribute, display, or sell items from the business contracted with the City of Albany for the booth.
2. The City of Albany may change the event's location, dates, and hours, or cancel it entirely at any time without notice. However, reasonable efforts will be made to inform vendors of any changes or cancellations in advance.
3. Vendors must have personnel present and in their booth at all times during the official operating hours of the event: 4:00 pm to 8:00 pm.
4. By submitting this application, you hereby consent and acknowledge that the City of Albany reserves the right to prohibit the sale, sampling, distribution, and promotion of products or materials related to political campaigns, products or materials containing alcohol and all THC/CBD products at the City of Albany produced events (see albanyevents.org for a complete listing). Please note that confections containing alcohol, as defined by New York State Liquor Authority's Advisory #2019-1, with an alcohol content of no more than five percent (5%) by volume, are permitted to apply and will be subject to a standard vendor jury selection process. Applications received that involve the sale, sampling, distribution, and promotion of the aforementioned items, with the exception of confectionery containing an alcohol content of no more than five percent (5%) by volume, will be subject to immediate rejection. This policy is instituted to uphold public safety and to ensure a family-friendly environment for all City of Albany-produced event attendees and excludes the City of Albany-sanctioned alcohol sales, intended for consumption by event goers, in designated "Beer Zones".
5. Vendors are banned from using polystyrene foam (Styrofoam ) containers, cups, or bowls. A first offense results in a warning, and a second offense leads to contract termination and removal from the event without a refund.
6. Vendors must provide their supplies: water, electricity, tables, chairs, tents, and tent weighs.
(Please Note: Cars as an electrical source is prohibited)
7. Vendors are prohibited from bringing any animals or pets to the event, except for service animals as defined by the American Disabilities Act (ADA).
8. Refunds: Once accepted into the festival, no refunds will be provided, except in cases of force majeure
9. Vendors must stay within the boundaries of their assigned spaces, which are 30 feet long by 10 feet wide for Food vendors, 15 feet long by 10 feet wide for Retail vendors, and 10 feet long by 10 feet wide for both Public Information and Art vendors. The City of Albany will determine vendor placement.
10. Vendors may not hawk, peddle, sell, or advertise outside their assigned area.
11. Vehicles of any kind are prohibited on-site outside of load-in hours (1:00 pm – 3:00 pm) and are not permitted near the vendor's designated area during the event.



5 Alive at Five 2025 Rules and Regulations (cont.)

12. Vendors must make arrangements for transporting their products, equipment, etc. to and from their exhibit spaces; event personnel are not available to assist and no storage space is provided for products, literature, etc. Driving is strictly prohibited after load-in hours.
13. Vendors are prohibited from playing music or activities that will be disruptive to neighboring vendors or event participants. A first offense results in a warning, and a second offense leads to contract termination and removal from the event without a refund.
14. Vendors must adhere to the City of Albany's tobacco-free park ordinance [38.52.14] and cannabis-related ordinances, including the provisions of the *Cannabis Law* (Chapter 7 of the Public Health Law) and the *Marijuana Regulation and Taxation Act (MRTA)*, both of which prohibit smoking and vaping of cannabis in all city parks. These ordinances have been in effect since January 1, 2015, for tobacco-related smoking and since March 2021 for cannabis-related smoking. Failure to comply with these regulations may result in fines, permit revocation, or contract termination. For this ordinance, 'smoking' is defined as the act of burning any lighted cigar, cigarette, pipe, or any other substance containing tobacco, or cannabis as defined under the *Cannabis Law* and the *Marijuana Regulation and Taxation Act* (which includes smoking of both adult-use cannabis and cannabinoid hemp, as defined in section three of the *Cannabis Law*).
15. The City of Albany does not hold the Grandfathered-In clause to any exhibitors.
16. Food vendors (excluding those using deep fryers) must always have a commercial-grade, ABC-type fire extinguisher (minimum 9 lbs.) in their designated space. Vendors using deep fryers must have a 6-liter K-type fire extinguisher on hand. The Albany Fire Department reserves the right to inspect both the extinguisher and the vendor's space. The City of Albany may close any exhibit that fails to comply with these requirements.
17. The City of Albany may, for publicity purposes, use any photographs or information received or obtained during the event.
18. Vendors using an electric generator or other motor must soundproof the device to meet the City of Albany's standards. Due to frequent complaints, this policy will be strictly enforced. We recommend having a quieter backup generator or servicing your current one. The City of Albany reserves the right to shut down any exhibitor not adhering to this or other event policies.



5 Alive at Five Release & Indemnification

I, the undersigned, understand that my participation in the 35th Alive at Five concert series is voluntary. By signing this release form, I acknowledge and agree to the following terms:

I am aware of and assume any risks associated with my participation in the event, including but not limited to, any potential injury, illness, loss, or damage to my person or property. I acknowledge that I am solely responsible for my safety and belongings during the event.

I hereby release, waive, and discharge the City of Albany, its employees, agents, volunteers, and affiliates from any claims, demands, or causes of action arising out of or related to any loss, damage, or injury that I may sustain as a result of my participation in the event, whether caused by negligence or otherwise.

I grant permission to the City of Albany to use my image, likeness, and/or voice recorded in any format (photographs, video, and audio) during the event for promotional purposes, including but not limited to marketing materials, social media, and website content, without any compensation.

I verify that all information I have provided about my business, and my products for sale is true and accurate.

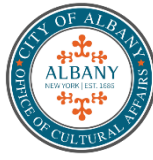
I agree to indemnify and hold harmless the City of Albany from any liabilities or claims made by other individuals or entities as a result of my actions during the event.

I have read and fully understand this release form and its terms. By signing below, I confirm that I am voluntarily agreeing to the release and to abide by all applicable rules and regulations. If my application is accepted, this form will serve as a binding agreement, representing the terms of the permit. I understand that the City of Albany reserves the right to remove any vendor from participating in the event at any time, without refund, if they violate the rules and regulations or fail to follow reasonable instructions given by City of Albany event personnel.

By submitting this application, you hereby consent and acknowledge that the City of Albany reserves the right to prohibit the sale, sampling, distribution, and promotion of products or materials related to political campaigns, products or materials containing alcohol and all THC/CBD products at the City of Albany produced events (see albanyevents.org for a complete listing). Please note that confections containing alcohol, as defined by New York State Liquor Authority's Advisory #2019-1, with an alcohol content of no more than five percent (5%) by volume, are permitted to apply and will be subject to a standard vendor jury selection process. Applications received that involve the sale, sampling, distribution, and promotion of the aforementioned items, with the exception of confectionery containing an alcohol content of no more than five percent (5%) by volume, will be subject to immediate rejection. This policy is instituted to uphold public safety and to ensure a family-friendly environment for all City of Albany-produced event attendees and excludes the City of Albany-sanctioned alcohol sales, intended for consumption by event goers, in designated "Beer Zones".

Participant Signature: _____ **Date:** _____

Printed Name: _____



2025 CITY OF ALBANY ALIVE AT FIVE

Food Vendor Application Checklist

- Application filled out completely with all required information
- Release and Indemnification read, signed, and attached
- (4) Photos including (1) Full menu items and prices, (1) clear photo of the booth display, and (2) representative of the work you plan to sell attached to the application
- One (1) check or money order (\$1350 for 6 weeks or \$750 for 3 weeks) made payable to "The City of Albany"
- Proof of Workers Compensation (C105.2) and Disability (DB-120.1) or a Certificate of Attestation of Exemption (CE-200)
- Proof of Commercial General Liability insurance
- Return pages 2,3,7,and 8

APPLICATION MUST BE POSTMARKED BY FRIDAY, APRIL 25th, 2025

SEND APPLICATIONS TO:
City of Albany Office of Cultural Affairs
24 Eagle Street, Room M 252
Albany, NY 12207

Contact Andre Cowan at 518-434-5416 or write Acowan@albanyny.gov with any questions.