

2011 At the Plaza Summer Special Events at Albany's Empire State Plaza NYS-OGS Convention & Cultural Events Office

APPLICATION FOR FOOD VENDORS

Thank you for your interest in taking part in free to the public festivals at Albany's Empire State Plaza. The Special Events Office can be reached at (518) 473-2982 with any questions or e-mailed to: jason.rumpf@ogs.ny.gov

We categorize vendors into two main groups - food and non-food. This application is specifically for food vendors, please see our website for the non-food vendor application: www.ogs.state.ny.us/ESP/CCE/Vendors.asp. Participation is based on specific vendor types. Not all events allow the same mix of vendors, please refer to the event specific applications.

Food Vendors - including Commercial & Not-for-Profit Groups

Includes vendors of food products intended to be eaten on the spot, including hot foods, beverages and frozen desserts; not-for-profit groups include religious, ethnic and fraternal organizations. Commercial vendors pledging a portion of their sales to charity do not qualify as not-for-profit.

The following is required from all participants:

- Payment is required with your application.
- Completed application documents.
- Signed and notarized agreement.
- Proof of Commercial General Liability Insurance naming the State of New York as an additional insured.
- Proof of Automobile Insurance.
- Proof of Disability and Worker's Compensation Insurance, or current CE-200 Attestation of Exemption.
- Menu information to allow us to obtain an Albany County Temporary Food Service permit on your behalf.

Additionally, it is the responsibility of the vendor to familiarize themselves with the rules, regulations and practices of food service vending at the Empire State Plaza. This includes but is not limited to:

- ✓ Submission of accurate Vehicle/Driver information.
- ✓ Foamed polystyrene containers, cups and plates are not permitted for environmental reasons.
- ✓ Proper fire extinguishers must be provided by the vendor.
- ✓ There is no additional charge for electrical service.
- ✓ Vendors needing 220v power must provide their own lead to be hard-wired into distribution panel.
- ✓ Space assignment is at the discretion of the OGS Special Events Office.

NEW EVENT FOR 2011: "Local Legends Live," Friday, September 9th, Noon - 9 pm. Festival featuring nine local bands, aimed towards the College/20's/30's crowd. Lunch time start through the dinner hour. Local radio tie-in for promotion.

Organizations wishing a larger presence are encouraged to contact our Marketing Manager to fully discuss the many benefits of event sponsorship. Sponsorships are available in a wide range of price categories with commensurate levels of event related exposure. Please call Special Events at (518) 474-0460 and ask for Heidi Goertz.

A separate application for non-food vendors (merchandise, service providers, info, etc) is available at www.ogs.state.ny.us/ESP/CCE/Vendors.asp

Participation in all events is "first-come, first-served," based on a policy of past credit history, space availability and prepayment and submission of required paperwork. Application deadline dates are established for all events and are indicated below. In some events strong vendor response and limited available spaces may close out an event prior to the deadline date listed below. July 4th in particular goes fast - book early to be sure!

Payment in full is required with your application to secure your participation. We do not "hold" spaces on verbal/written request. Applications received without payment will be returned.

If requested on application, electrical service will be provided to the best of our ability. There is no additional charge. Vendors who require 220v service are required to provide their own leads to be hard-wired into power distribution panels by OGS electricians. Because of this 220v vendors may be grouped together at the distribution panel. Please indicate the length of your 220v lead to assist us in placement. Should you not provide this information, we will not be responsible if 220v electrical power is not available at your assigned location.

If paying with a personal check or money order, please write on the check memo section your business name.

In most cases, applicants will first receive written receipt of payment shortly after we receive your application. Specific event information (load-in hours, booth location, etc.) will be sent out 2 - 3 weeks prior to the event date. In the case of late applications, or applications arriving very close to the application deadline, receipt and event information may be sent together.

IF YOU HAVE SENT YOUR APPLICATION EARLIER THAN 3 - 4 WEEKS PRIOR TO THE DEADLINE AND HAVE NOT RECEIVED ANY CONFIRMATION BACK FROM US, PLEASE CALL (518) 474-5986. OCCASIONALLY APPLICATIONS GET MISDIRECTED.

The OGS Special Events website includes information on directions, calendar of events and copies of this and other event applications. Please visit our website at <http://www.ogs.state.ny.us/ESP/CCE/Vendors.asp>

Concert Vending - At this time concert programming is not anticipated for 2011.

2011 Festival Application:

Deadlines:

African-American Family Day - Sat. August 6

Friday, July 22, 2011

Food Festival - Wed. August 17

Friday, July 29, 2011

LocalLegendsLegens - Friday, September 9

Friday, August 26, 2011

Hispanic Heritage Celebration - Sat. Sept. 17

Friday, Sept. 2, 2011

Please note - deadline indicates latest possible day to apply to participate if space is available. It is possible spaces sell out prior to deadline date. Book early to be sure!

**NEW YORK STATE
OFFICE OF GENERAL SERVICES
CONVENTION & CULTURAL EVENTS OFFICE
(518) 473-2982
www.empirestateplaza.org**



**New York State Office of General Services
Special Events Office**

Harriman State Office Campus Summer Food Vending

Empire State Plaza Festival Food Vending

To protect the environment, OGS will prohibit the use of all polystyrene foam by food service vendors at public events.

Items made of polystyrene foam, also incorrectly commonly known by the brand name “Styrofoam” include plates, cups, bowls, “to-go” containers among other food service items. These items are frequently marked with the following symbol:



In 2008 the New York State Office of General Services instituted a “go green” initiative for contracted food service outlets located at State-owned facilities. OGS maintains an on-going commitment to environmental stewardship. An opportunity exists to start the process of moving toward more environmentally responsible practices at outdoor community events and daily food service programs administered by OGS.

Packaging and products containing polystyrene can usually be identified by a recycling triangle logo with the number 6 inside it stamped on the item. Once used, polystyrene foam takes from years to decades to break down in the environment. Additionally, this product is petroleum-based, highly flammable and a chemical called benzene, a known human carcinogen, is used in its production. Nearly two dozen cities in the USA have banned the use of polystyrene for the use by food service outlets.

The use of biodegradable replacements are encouraged - paper plates for example in place of polystyrene plates, paper cups for non-recyclable cups, etc. As a trend setter in the “greening of New York,” the New York State Office of General Services is advancing environmentally-positive trends at community events hosted at State properties.

**2011 At the Plaza
 Summer Special Events at Albany's Empire State Plaza
 NYS-OGS CONVENTION & CULTURAL EVENTS OFFICE**

APPLICATION FOR FOOD VENDORS

Vendor Name: _____

Instructions: Select event(s) you wish to participate in, determine space, check box. Include Health Dept fee.

July 4 - 7/4 SOLD OUT \$275 \$475 \$675 _____
 Program Hours: 3-10 pm Load-in: Noon 10 ft 20 ft 30 ft Total

Kid's Day - 7/17 SOLD OUT \$150 \$200 \$100 _____
 Program Hours: Noon-5 pm Load-in: 9 am 10 ft 20 ft each add'l 10 ft Total

African-Am. Family Day - 8/6 \$175 \$300 \$150 _____
 Program Hours: Noon-7 pm Load-in: 9 am 10 ft 20 ft each add'l 10 ft Total
 Not-for-Profit Com'ty Group Food Sales \$75 1st 10 ft \$50 each add'l 10 ft

Food Festival - 8/17 \$175 \$300 \$150 _____
 Program Hours: 11 am-9 pm Load-in: 7 am 10 ft 20 ft each add'l 10 ft Total
 Not-for-Profit Com'ty Group Food Sales \$75 1st 10 ft \$50 each add'l 10 ft
 Pride of NY Sales/Sampling \$75 1st 10 ft \$50 each add'l 10 ft

LocalLegendsLive - 9/9 \$175 \$300 \$150 _____
 Program Hours: noon-9 pm Load-in: 9 am 10 ft 20 ft each add'l 10 ft Total

Hispanic Heritage - 9/17 \$150 \$200 \$100 _____
 Program Hours: 3-8 pm Load-in: Noon 10 ft 20 ft each add'l 10 ft Total
 Not-for-Profit Com'ty Group Food Sales \$75 1st 10 ft \$50 each add'l 10 ft

Mandatory Albany Co. Temporary Health Permit \$30 per event _____

\$30 per event, per vendor. Not-for-Profit exemption no longer available. Multiple units by same vendor at same event need only 1 permit.

Total Due _____

Complete this application and return all required paperwork and payment to:
 NYS Office of General Services, PO Box 2117, Albany, NY 12220.
 Once confirmed, refunds are not possible. Telephone inquiries (518) 473-2982

2011 Empire State Plaza Summer Events Application

PARTICIPANT INFORMATION

MUST BE COMPLETED BY ALL PARTICIPANTS

CONTACT INFO:

Business Name _____

Contact Person _____

Address _____ Town _____ State _____ Zip _____

Telephone _____ Fax _____ NYS Sales Tax # _____

E-Mail _____

MENU/PRODUCT/ACTIVITY INFO:

Describe your menu/products/services: _____

VEHICLE, DRIVER & TRAILER INFO:

1.Driver's Name (F, MI, L)

2.Driver's Lic. Number & State

3.Vehicle Plate No. & State

<u>1.Driver's Name (F, MI, L)</u>	<u>2.Driver's Lic. Number & State</u>	<u>3.Vehicle Plate No. & State</u>

Will there be a trailer? Yes No

4.Trailer Plate No.

5. Trailer Plate State

<u>4.Trailer Plate No.</u>	<u>5. Trailer Plate State</u>

Please write clearly. Driver information must match who is behind the wheel when you enter the Plaza. Please use name exactly as it appears on the License - if it is "William", do not indicate "Bill." If you do not provide correct or complete information you may be denied entry to Plaza. If you have additional vehicles, please provide all 5 items of information on a separate sheet.

ELECTRICAL INFO:

There is no additional fee for electrical service, however you must provide the information here for service to be provided:

110v Service (normal household plug)

How many 110v 20 amp circuits do you require? (Each line has 2 plugs with a combined capacity of 20 amps.)

220v Service (heavy duty commercial equipment)

What are your 220v requirements: (amps/volts/phase) _____

How long is your lead: feet. It is your responsibility to provide a suitable lead for your set-up.

**New York State Office of General Services Permit Agreement
Convention & Cultural Events
Empire State Plaza Vendors**

THIS PERMIT AGREEMENT, made this ____ day of _____, 2011 by and between the People of the State of New York, acting by and through the Commissioner of the New York State Office of General Services (hereinafter referred to as "OGS") and _____ (hereinafter referred to as "Vendor").

W I T N E S S E T H

WHEREAS, OGS has management supervision over the rooms, facilities and general domain of the Empire State Plaza, (hereinafter referred to as "Plaza") and

WHEREAS, OGS, through its Special Events Office, wishes to permit food, craft, merchandise and other vendors to take part in community events for the sale and distribution of certain products and services (hereinafter referred to as "Vendors"), and

WHEREAS, the Vendor wishes to sell these products in those areas and during those times OGS hereinafter designates.

NOW THEREFORE, in consideration of the mutual covenants contained in this agreement, the parties agree as follows:

1. **Operation.** OGS Special Events Office expects to present a total of six events during the months of July through September 2011. The dates and hours of operation are indicated on separate applications and must be submitted with the Permit Agreement for consideration.
2. **Location.** The Vendor Area will be located in designated areas on the Outdoor Plaza, Bus Terminal, Harri-man State Office Campus and/or Plaza South Concourse.
3. **Application.** In consideration of the permission to occupy space and sell food, craft, merchandise or other services at designated events, the Vendor agrees to file a Registration Application with the OGS Special Events Office who will sponsor the event, to be submitted and approved by OGS Special Events before OGS signs this agreement. Space will be allocated by OGS Special Events, per the Vendor's Application request and as space permits. Vendor is hereby granted a non-exclusive right, for those events that are approved by OGS on the Registration Application, to occupy and use the specified booth space for such events on the dates and at the consideration detailed on the Registration Application. The Vendor's completed and approved Registration Application is attached hereto as Appendix B hereof and is hereby incorporated by reference and made a part hereof as fully as if set forth at length herein.
4. **New York State Sales Tax Certificate of Authority.** Should sales be taking place, the Vendor agrees to procure and maintain during the period covered by this agreement a valid New York State Sales Tax Identification Certificate. A copy of the Sales Tax Certificate of Authority must be displayed in a prominent location at all times while at the Plaza.
5. **Insurance Requirements.** (Required by all Food Vendors Only.) The Vendor agrees to procure and maintain during the period covered by this agreement the following types of insurance:

Commercial General Liability (CGL) \$2,000,000 Each Occurrence

Automobile Liability \$1,000,000 Combined Single Limit

WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS REQUIREMENTS:

Workers' compensation law (WCL) §57 & §220 requires the heads of all municipal and state entities to ensure that businesses applying for permits, licenses or contracts have appropriate workers' compensation and disability benefits insurance coverage. This requirement applies to both original contracts and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license or contract. Failure to provide proof of such coverage or a legal exemption will result in a rejection of your bid.

Proof of Compliance with Workers' Compensation Coverage Requirements:

ACORD forms are NOT acceptable proof of workers' compensation coverage. In order to provide proof of compliance

with the requirements of the Workers' Compensation Law pertaining to workers' compensation coverage, contractors shall:

- A) Be legally exempt from obtaining workers' compensation insurance coverage; or
- B) Obtain such coverage from insurance carriers; or
- C) Be a Workers' Compensation Board-approved self-insured employer or participate in an authorized self-insurance plan.

Contractors seeking to enter into contracts with the State of New York shall provide one of the following forms to the Office of General Services at the time of bid submission or shortly after the opening of bids:

A) Form CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required which is available on the Workers' Compensation Board's website (www.wcb.state.ny.us); (Reference Sign of the Tree Operation Agreement on the form.)

B) Certificate of Workers' Compensation Insurance:

1) Form C-105.2 (9/07) if coverage is provided by the contractor's insurance carrier, contractor must request its carrier to send this form to the New York State Office of General Services, or

2) Form U-26.3 if coverage is provided by the State Insurance Fund, contractor must request that the State Insurance Fund send this form to the New York State Office of General Services.

C) Form SI-12, Certificate of Workers' Compensation Self-Insurance available from the New York State Workers' Compensation Board's Self-Insurance Office.

D) Form GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance available from the contractor's Group Self-Insurance Administrator.

Proof of Compliance with Disability Benefits Coverage Requirements:

In order to provide proof of compliance with the requirements of the Workers' Compensation Law pertaining to disability benefits, contractors shall:

A) Be legally exempt from obtaining disability benefits coverage; or

B) Obtain such coverage from insurance carriers; or

C) Be a Board-approved self-insured employer.

Contractors seeking to enter into contracts with the State of New York shall provide one of the following forms to the Office of General Services at the time of bid submission or shortly after the opening of bids:

A) Form CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required which is available on the Workers' Compensation Board's website (www.wcb.state.ny.us); (Reference Sign of the Tree Operation Agreement on the form.)

B) Form DB-120.1, Certificate of Disability Benefits Insurance. Contractor must request its business insurance carrier to send this form to the New York State Office of General Services; or

C) Form DB-155, Certificate of Disability Benefits Self-Insurance. The Contractor must call the Board's Self-Insurance Office at 518-402-0247 to obtain this form.

ALL OF THE ABOVE REFERENCED FORMS, EXCEPT CE-200, SI-12 & DB-155 MUST NAME: The Office of General Services, Real Property Management Group, 39th floor, Corning Tower, Albany NY 12242 as the Entity Requesting Proof of Coverage (Entity being listed as the Certificate Holder)"

If such CGL insurance contains a general aggregate limit, it shall apply separately to this location. CGL insurance shall be written on ISO occurrence form CG 00 01 10 and shall cover liability arising from premises operations, independent contractors, products-completed operations, personal and advertising injury, owners and contractors protective, cross liability coverage and liability assumed in a contract (including the tort liability of another assumed business contract). The above policy limits may be achieved through a combination of primary and umbrella policies. A certificate of insurance must be filed with the NYS Office of General Services, Special Events Office, Room 130 Concourse, Empire State Plaza, Albany, New York 12242, or faxed to (518) 473-0558, evidencing such coverage before the Vendor is allowed to use space at the Plaza. Such certificate must indicate that the People of the State of New York and NYS Office of General Services are additional insureds on the policies and that the insurance policies may not be canceled without thirty (30) days written notice to NYS Office of General Services.

Note: Craft/Merchandise vendors that do not sell any food, and that are granted a waiver after they have certified that they are unincorporated small businesses for which the provision of insurance would impose an undue financial burden are not required to provide proof of insurance coverage. Wineries and microbrews are required to provide proof of liquor liability insurance.

6. **Indemnification.** The Vendor agrees to defend, indemnify and save harmless OGS and the People of the State of New York and their officers, agents and employees against any and all claims, demands or causes of action arising out of any loss of or damage to property or injury or death of any person which may be due in any manner to the installation, use, maintenance, state of repair or presence of the Vendor's stand, booth or other installation or structure of any kind at the Plaza or the sale of products therefrom. Vendor's liability pursuant to this indemnity provision shall not be limited by the amount of any insurance coverages required to be maintained hereby.
7. **Rules.** The Vendor agrees to abide by any rules governing the operation of Vendors at the Plaza heretofore or subsequently adopted by OGS. Initial rules, attached hereto as Appendix "A", are expressly incorporated into and made part of this agreement.
8. **Compliance.** The Vendor agrees to comply with the terms of this agreement and the rules pertaining to vending at the Plaza. Failure of the Vendor to comply with these terms will result in revocation of the permission to participate granted herein.
9. **Reservation.** OGS 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. OGS will make reasonable efforts to provide advance notice to Vendors of any changes or cancellations.
10. **Assignment.** Vendor agrees not to assign this Vendor Agreement without the prior written consent of OGS. Such consent may be unreasonably withheld.
11. **Force Majeure** If the event is rendered impossible or infeasible by destruction or damage to the facility, or by any act or regulation by any governmental body, civil tumult, strike, epidemic, condition of war, or any other condition determined by OGS to represent or constitute a threat to the safety of the public or the intended audience or facilities, including, but not limited to, the then current status of the state or federal alert systems, or by the restricted availability of motor fuel for the audience which renders this type of event in the opinion of OGS financially infeasible or impractical, it is understood and agreed this agreement shall be cancelled and that there shall be no claim for damages by either party to this agreement. In the case of such a cancellation, the Permittee will not be entitled to a refund of any deposit or fees paid, but Permittee will receive a credit in the amount of such pre-paid amounts towards a rebooking or another event, provided they occur within one year of the scheduled date for the original event.
12. **By initialing in this box [],** the Vendor is applying for a waiver from the usual insurance requirements and it hereby certifies that it is a craft/merchandise vendor that will not sell any food at the event and, further, that it is an unincorporated small business for which the provision of insurance would impose an undue financial burden. Vendor agrees to provide any documentation requested by OGS to confirm these representations.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

***Participants
Please Sign
Here***

By _____
Vendor
Name: _____
Title: _____

***Staff Use
Only***

THE PEOPLE OF THE STATE OF NEW YORK
By _____
OGS Special Events Office
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THIS IS TO BE COMPLETED BY THE NOTARY AND NOT THE PARTICIPANT

Individual, Corporate, Partnership or LLC Acknowledgment

STATE OF }

:SS.:

COUNTY OF }

On the day of _____, in the year 201__ before me personally appeared _____, known to me to be the person who executed the attached document, who being duly sworn by me did depose and say that __he resides at _____ in the Town of _____, County of _____, State of _____, and further that:

[Check One]

(If an individual): __he executed the foregoing instrument in his/her name and on his/her own behalf.

(If a corporation): __he is the _____ of _____, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, __he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, __he executed the foregoing in the name of and on behalf of said corporation as the act and deed of said corporation.

(If a partnership): __he is the _____ of _____, the partnership described in said instrument; that, by the terms of said partnership, __he is authorized to execute the foregoing instrument on behalf of the partnership for the purposes set forth therein; and that, pursuant to that authority, __he executed the foregoing in the name and on behalf of said partnership as the act and deed of said partnership.

(If a Limited Liability Company): __he is a duly authorized member of _____, LLC, the limited liability company described in said instrument; that __he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, __he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of behalf of said limited liability company as the act and deed of said limited liability company

Sworn to before this

_____ day of _____, 201__

Notary Public

**New York State Office of General Services
Special Events Office**

Credit Card Payment

If you wish to pay with a credit card, please complete the following and return with your application:



Please charge my: Discover Card MasterCard VISA American Express Amount: \$ _____

Account No - - -

Expiration Date: / Billing Zip Code: -

Month *Year*

Name: _____
Please Print

Signature: _____ Date _____

IMPORTANT - If credit card name is different from business name, please indicate business name: _____

	Name of Event	Amount
Please indicate which event you are charging:	_____	\$ _____
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____
	Total	\$ _____

-----OFFICE USE ONLY-----

Inv. # _____ Rec'd by _____ Prog _____

APPENDIX "A"

RULES FOR THE EMPIRE STATE PLAZA VENDOR PARTICIPATION

1. Payment for vendor space may be charged or made by check or money order payable to: OGS Special Events. Once confirmed, refunds are not possible. Should a participant be unable to attend a previously reserved event, a credit may be issued at the discretion of OGS Special Events, provided notification is received at least 24 hours prior to the event. Cash refunds are not possible.
2. All grease used for deep fat frying or other purposes must be removed by vendor at the close of the event. Please refer to the attachment hereto regarding specific fire extinguisher rules for deep fat frying.
3. Participants are expected to maintain the cleanliness of their booths at all times. Failure to observe reasonable standards of sanitation will result in the revocation of the Vending Permit.
4. Failure to leave booth space in condition found will forfeit future participation.
5. Electrical power is available as noted on specific applications. Service is 20 amps. No extension cords or power strips are provided. Electrical service will be terminated approximately 30 minutes after final stage presentation.
6. Participants providing their own electrical extension leads are required to use UL approved 12 gauge or higher sets.
7. Because of the size of most events, arrangements are made for outdoor setups. Vendors are encouraged to take precautions for all weather conditions, especially wind.
8. Vendors may provide their own canopies. Please note, because of the Plaza surface, driven stakes are not possible, and canopies must remain in assigned space.
9. Vendors may bring their own tables, or additional equipment as needed that will fit within the designated booth space.
10. Potable water will be available at central locations. Individual water lines are not available or permitted. Water service will be terminated approximately 30 minutes prior to the conclusion of the final stage presentation.
11. Specialty food products refer to packaged items not intended to be eaten on the spot.
12. Vendors may not refer to themselves as a "sponsor," "cosponsor" or other terms conferring status other than of a participant.
13. OGS reserves the right to limit the sale of certain branded soft drink items, or require that a specified brand be offered if that type of item is on a vendor's menu (example - Coke vs. Pepsi). Should a sponsorship option exist for an exclusive beverage, vendors will be given the choice to sell only that brand or omit that item from the menu. Notice of such arrangements will be provided to vendors as soon as they are confirmed by the OGS Special Events Office.
14. Failure to pay outstanding invoices will forfeit future participation.
15. Tables and chairs or other support materials are not provided for outdoor festivals and concerts.
16. Your New York State Sales Tax ID card must be in plain view, if sales are taking place.
17. Booths may not be loaned or sublet to anyone other than the applicant. It is the applicant's responsibility to provide vehicle entry information, date & space confirmation details and any other specific operating procedures to staff.
18. All participants are expected to conduct themselves with courtesy and in an orderly manner. Arguments, harassment, sexual harassment, name-calling, profane language, or fighting are grounds for revocation of the vendor permit.
19. Any articles found by a participant will immediately be turned over to the Plaza Manager's Office. Customers looking for lost items should be directed to the Plaza Manager's Office, (518) 474-8860.
20. Participants will indicate on their application what products they will be selling or what services promoted. Vendors who misrepresent themselves or products for the purpose of securing booth space will forfeit participation.
21. OGS 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.
22. OGS reserves the right to offer promotional sampling at all programs. This may include free samples of food and beverage items. All attempts will be made to provide this information to vendors prior to the event.
23. Vendors using Liquefied Petroleum Gas (LPG) should familiarize themselves with the attached guidelines.
24. OGS will not consent to the sale of merchandise containing the names, logos and/or images of New York State, the New York State Capitol or the Empire State Plaza.
25. Should the entertainment portion of an event be moved due to inclement weather, every effort will be made to provide food vendors with sales space. Indoor cooking restrictions apply.
26. New York State Police and OGS reserve the right to restrict the sale of items of a dangerous or destructive nature. Examples include: knives, silly string, poppers, snakes or similar child novelties.
27. Due to limited vehicle space on the Plaza, OGS reserves the right to limit the number of vehicles allowed access for load-in purposes. Vendors occupying a 10 ft space are allowed 2 vehicles, a 20 ft space 4 vehicles, etc. Requests for additional vehicle access will be considered on a case-by-case basis.
28. The use of any public serving container made from or with the recycling code number 6, known as polystyrene foam is prohibited from use. Vendors found using items made of this material will be given one warning. Repeat use will result in loss of vending privileges with no credit or refund.
29. Food vendors are required to display prices in a conspicuous location visible to patrons.

INFORMATION FOR VENDORS SELLING OR SAMPLING FOOD PRODUCTS

A temporary food operation permit is needed for all vendors/groups/organizations wishing to sell or sample food products at the Empire State Plaza and Harriman Campus. The permit is issued by the Albany County Department of Health and obtained by OGS Special Events on your behalf. Applicants are required to comply with the following rules and regulations:

1. You are permitted to sell only those items listed on your application. Additional items may not be included without prior Health Department approval.
2. A fee of \$30.00 per vendor, per non-contiguous space will be charged. (Payment should be combined with any other charges, such as space fees, etc.)
3. **Copies of Workers Compensation and Disability Insurance certificates or a CE-200 Workers' Compensation form must be submitted to NYS-OGS Special Events with your application.**

Please contact your insurance agent for one of the following forms:

- Form C-105.2 — Certificate of Workers' Compensation Insurance
- Form U-26.3 — Certificate of Workers' Compensation Insurance
- Form SI-12— Certificate of Workers' Compensation Self Insurance
- Form GSI-105.2 — Certificate of Participation in Workers' Compensation Group Self-Insurance

AND

Please contact your insurance agent for one of the following forms.

- Form DB-120.I — Certificate of Disability Benefits
- Form DB-155 — Certificate of Disability Benefits Self Insurance

OR

Form CE-200 - Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage. The CE-200 form can be processed electronically on-line at <http://www.wcb.state.ny.us> and immediately upon completion, be able to print out a hard copy of the CE-200 that can be attached to your application. Computers are available at the Customer Service Center the New York State Workers' Compensation Board, 100 Broadway, Menands office. Paper application for the CE-200 can be obtained by writing or visiting the Customer Service Center at New York State Workers' Compensation Board, 100 Broadway, Menands, NY 12241, 1-866-750-5157.

Albany County will not issue a permit without copies of insurance certificates as stated above.

4. Food Storage: All potentially hazardous foods held hot must be held at a temperature of 140°F or greater. All potentially hazardous foods held cold must be held under mechanical refrigeration at a temperature of 45°F or less. Potentially hazardous food is any food that consists, in whole or part, of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea or other ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms [14-2.3(b) (c)]. A metal stem-type, numerically scaled thermometer accurate to plus or minus two degrees Fahrenheit (1.1 Celsius) must be available and used to ensure adequate temperatures.

TEMPORARY FOOD SERVICE INSTRUCTIONS

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5. All foods must be from approved sources, prepared in facilities under permit by the Albany County Health Department or an appropriate regulatory agency. Food may NOT be prepared at home.
6. Your permit allows VENDING/SAMPLING only! Foods must be in a form requiring only limited preparation such as seasoning or cooking*. Any additional preparation procedures such as on-site assembly of salads, sandwiches, pastries, etc. is prohibited.
7. Bare hand contact with ready-to-eat food is not allowed. Sanitary gloves, utensils, or barriers must be used.
8. Personnel: All persons working with food are to be free from infectious disease which can be transmitted by foods and are not to have boils, infected cuts, sores or any respiratory disease. They are to wear clean clothing, not to smoke or use tobacco while handling food or in food preparation areas, and use hair restraints that minimize hair contact with hands, food and food-contact surfaces.
9. Prepared foods must not be displayed uncovered.
10. Storage of food on the ground is prohibited.
11. Temporary Food Service handwashing facilities are to consist of a supply of clean, potable water, soap or detergent, a receptacle to hold wastewater and paper towels (14-4.141).
12. All damp wiping cloths must be kept in a sanitizing solution. Repetitive use of dry cloth towels for hand cleaning is prohibited.
13. The area surrounding your food service must be maintained in a clean and sanitary condition at all times. Disposing or dumping of cooking water, ice water, or food wastes on the street or ground is prohibited.
14. Your health permit must be displayed and observable at all times.
15. Enforcement: If your operation is found to be in violation of sub-part 14-2 of the New York State Sanitary Code, you will be ordered to leave the area immediately and be required to attend a formal hearing to review the matter. Failure to correct the noted deficiencies and repetitive violations will result in the initiation of legal action by this Department.
16. If you have any questions concerning the above information, please contact the Albany County Department of Health at (518) 447-4625.

* - please note, NYS State Fire Safety regulations do not permit cooking on the indoor Concourse. OGS Special Events will not allow participants to cook from a raw state. Reheating/keeping at temperature is permitted.