



Cinco de Mayo Greeley Food Vendor Agreement

www.Cincodemayogreeley.com

Event Date: Saturday, May 4, 2019

D.52319

***Submission Deadline 4/10/19 by 5:00PM to info@cincodemayogreeley.com

***Booth location will be determined by the Cinco de Mayo LLC Event Director. **All decisions are final!**

You will need to fill out the Temporary/Special Event License with the Weld County Health Department. If you are a not-for-profit-agency, you must still fill out an application with the Health Department and be able to prove your non-profitability. Attached is the appropriate paperwork, Forms: <https://weldtempevents.wufoo.com/forms/q1rj73gt034xzbc/> call or email the Health Department at HE-tempevents@weldgov.com 970-304-6415. A copy will need to be sent to info@cincodemayogreeley.com

Contract:

The Cinco de Mayo LLC desires to permit said Food Vendor, and only said Food Vendor, to sell said items during the 2018 Cinco de Mayo Greeley LLC Festival. NOW, THEREFORE, in consideration of the foregoing and of the promises and mutual covenants contained herein, and other good and valuable consideration, the parties agree as follows:

1. RIGHT TO SELL. Food Vendor, and only said Food Vendor, shall have the right to sell only the items submitted at the designated prices. Said sales are to occur only within the area designated by the Festival for the Food Vendor.

2. BEVERAGES. Food Vendor shall not sell, distribute, or in any way disseminate alcoholic beverages or food unless otherwise agreed upon in writing.

3. PRODUCTS. Food Vendor, and only said Food Vendor, shall sell only the items and/or services at the listed retail price (including all applicable sales taxes) as part of this application and agreement. Food Vendor shall sell the identified items at the specified price unless otherwise agreed by the Festival.

4. HOURS OF OPERATION. Food Vendor booths must be fully staffed and open for sales and must remain fully staffed and prepared to serve customers **Saturday, May 4, 2019 from 10:00 a.m. to 7:00 p.m.** regardless of weather conditions. Closing early or opening late will result in the forfeiture of the Food Vendor's damage deposit. Food Vendor understands that the Festival will be held regardless of weather.

5. SPACE SIZE. Space size will be 20 feet wide by 20 feet deep for Food Vendors. Space size will be 20 feet wide by 20 feet deep for Food Trucks. No sales or service shall be made from the sides or rear of the allotted space or spaces. Food Vendor understands that the Cinco de Mayo Greeley festival, in its sole discretion, will assign space. Food Vendors must supply all supplies necessary to operate, including a properly weighted tent or canopy, to operate and withstand the elements of weather. The use of stakes is strictly prohibited. You are required to bring your own table covers. Tables will be provided. You have a choice to bring tent/canopies to cover your area. 5 food vendors will be located indoors and 2 outdoors.

Space Requirements

Select the type of space that you will need and the QUANTITY of spaces required: (1) or (2).*

\$400: (1) Large Commercial Food Vendor Booths 20x20ft

- DO YOU NEED TO COOK OUTSIDE? YES OR NO
- DO YOU NEED TABLES ? YES OR NO HOW MANY? _____
- DO YOU NEED ELECTRICITY? YES OR NO (bring your own extension cord)

\$200: (1) Commercial Food Truck 20x20ft (does not come with tables/chairs)

- DO YOU NEED ELECTRICITY? YES OR NO

There is a **\$60 late** fee for applications submitted after April 10TH

SUBMISSION OF THIS APPLICATION AND APPLICATION FEE DOES NOT GUARANTEE ACCEPTANCE. YOU WILL BE NOTIFIED NO LATER THAN TWO WEEKS AFTER YOUR APPLICATION HAS BEEN RECEIVED. IF

YOUR APPLICATION HAS BEEN ACCEPTED. YOUR APPLICATION FEE WILL NOT BE REFUNDED IF NOT ACCEPTED. BOOTH RENTAL FEES MUST BE PAID BY APRIL 03, 2019 OR YOUR SPACE WILL BE FORFEITED.

- A damage deposit in the amount of \$100.00 will be charged if there is any damage to the park/facility or trash left behind after tear-down.
- Note that early strike on Saturday will result in the \$100.00 damage deposit being charged. You may set up no earlier than 7:00a.m. on 05/4/19.
- No subletting of booth space shall be permitted.

7. COMMISSION. The Cinco de Mayo Greeley LLC Festival will retain 0% of the Food Vendor's gross sales for the Festival.

8. SET UP. Set-Up will begin on Friday after 12:00 pm May 3, 2019 until 8:00 pm, and then the next morning May 4, 2019 from 7:00 a.m. to 9:00 a.m. No cars will be allowed on-site after 8:00 a.m. for loading and unloading at the back doors. Site access by vehicle on Saturday morning will be limited to 20 minutes only and strictly monitored.

***Free vendor parking on North side of the event center. East side parking reserved for attendees.

9. LOAD OUT. All materials must be removed from Festival grounds by 9:00 p.m. on Saturday, May 4, 2019.

Equipment load-out begins: Saturday, May 4, no earlier, and potentially later than, 7:00 p.m.

ABSOLUTELY NO EARLY STRIKE WILL BE PERMITTED.

EARLY STRIKE WILL RESULT IN A CHARGE OF \$100.00.

10. GRASS. DO NOT DRIVE ON THE GRASS. Vendor accepts liability for any damage to the grounds or other City and public or private property.

11. SIGNAGE. Vendor may only display its own business signs and banners within the assigned booth space.

12. TRASH. Spaces must be free of trash, litter and other refuse at all times. Failure to do so will result in forfeiture of damage deposit.

12. CONDUCT. Vendor may not smoke or consume alcoholic beverages within any assigned Festival space. Vendor must be suitably attired at all times. Behavior unsuitable for the Festival or which constitutes a public nuisance will not be permitted. Vendors will not engage in loud, live or recorded music during the Festival. The Festival in its sole discretion shall determine whether an act is unsuitable.

14. STORAGE. There will be no storage allowed outside the booth space for any supplies, equipment or inventory.

15. ELECTRICAL SERVICES. Indoor space has electricity. Outdoors there will be no electricity, you may bring your own generators for outdoor use only, if approved by by Cinco de Mayo Greeley and designated in writing as part of this Agreement. Please keep these restrictions in mind when applying and when planning your operations.

17. RAFFLES. No raffles of any kind without a state raffle license are permitted at the Cinco de Mayo Greeley LLC festival.

18. SITE INSPECTION. Vendor is responsible for leaving designated space as found. Failure to do so will result in, at the sole discretion of Cinco de Mayo Greeley LLC festival, loss of damage deposit and/or charges to repair or correct the situation. Vendor is responsible for returning the vending site to its original physical condition by 9:00 p.m. on Saturday, May 4 2019

19. GOVERNING LAWS. This Agreement shall be governed by the laws and the health, sanitation and fire regulations of the State of Colorado.

20. SECURITY. Vendor is responsible for the security of their own property and equipment at all times. While limited security personnel will be on duty at all times during the weekend, no security personnel will be assigned specifically to Food Vendors. Cinco de Mayo Greeley LLC festival shall not be held responsible for loss, theft or damage to any property left on the Festival grounds at any time.

21. LIABILITY. Vendor shall indemnify and hold the Cinco de Mayo Greeley festival, the Festival staff, contractors and volunteers harmless from any claim or cause of action arising out of or in connection with the acts or omissions of Vendor under this Agreement, and shall reimburse the Festival for any costs, including but not limited to, reasonable attorney's fees incurred in defense against any such claim.

22. AGREEMENT DEADLINE. This Agreement shall be signed by the Vendor and returned to the Cinco de Mayo Greeley LLC festival on or before **April 01, 2019** **Submit these forms to** info@CincodeMayoGreeley.com

23. CANCELLATION. Vendor understands in the event the Vendor cancels after **April 02, 2019 or** fails to provide the required documentations, permits, and fees, the entire booth fee will be forfeited.

24. RESOLUTION OF DISPUTES. In the event of a dispute arising in any manner as a result of, or in any way related to, this Agreement, the parties hereto agree to submit the same to mediation and/or arbitration as a prerequisite to legal action. In the event arbitration or legal action is commenced, the prevailing party SHALL be awarded reasonable attorney fees and costs incurred as a result of said dispute.

25. LICENSES. To sell food/beverages at an PUBLIC EVENT, you MUST contact Weld County Public Health and Environmental to secure a Food Vendor Permit:

Temporary Food Event Vendor Licenses

Forms:

https://www.weldgov.com/departments/health_and_environment/environmental_health/food_safety_for_regulated_facilities/temporary_events/

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

1555 North 17th Avenue Greeley, CO 80631

Web: www.weldgov.com

(970) 304-6415 Fax (970) 304-6411

32. MENU REVIEW. Make an appointment with the Department of Environmental Health several weeks before the event to review your menu. The menu review and licensing must be completed before your first event, or you will not be permitted to operate. A copy of the approved licensing must be submitted to Cinco de Mayo Greeley LLC by **April 01, 2019**.

33. FIRE PERMIT. Fire Department Permits are not required for the use of any temporary power sources (propane, charcoal, generators, etc.) These temporary power sources cannot be under a tent, if located outside these power sources must be located to the side or back of the tent.

All 20x20 or larger tents do require a permit. Please contact the Fire Prevention Office at 970-350-9570 to discuss the \$30 fee for 20x20 tent/canopy.

34. LICENSE FEE. After the menu review, you will be required to pay a License fee with the Department of Public Health and Environment.

Commissary Kitchen: Applicants without their own commissary kitchen must have access to a licensed kitchen for food preparation/storage. Please have the Affidavit of Commissary completed prior to your scheduled Menu Review Appointment. If you do not operate your own kitchen, the commissary kitchen you use cannot have a liquor license – this is a violation of the Colorado State Liquor Code. Please have written permission from the commissary kitchen at the menu review. If you are a Vendor from outside of Weld County, bring a copy of your commissary's last inspection report.

REMINDER: Event Organizers are required to submit a complete list of licensed food and beverage vendors 10 days before the event to the Department of Environmental Health. Make sure you have

completed all the necessary agreements with the event before that date. You will need to send a copy of your license to Cinco de Mayo Greeley LLC by April 20, 2019.

35. LIABILITY INSURANCE. Your 2018 liability insurance requirement is \$1,000,000. Please inform your liability insurance carrier to issue a certificate of insurance showing liability insurance coverage for Cinco de Mayo Greeley LLC and Island Grove and its staff, and contractors, listed as additional insured. You are also required to show proof of worker's compensation insurance. You will need to send a copy of your insurance to your Cinco de Mayo Greeley LLC by April 20, 2019.

37. WATER. No potable water will be made available at the Festival. Food Vendors are responsible for providing portable water to assigned booth space as required.

38. WASTEWATER. Please do not dispose of wastewater anywhere other than Festival designated locations. Please make provisions immediately to mop up any standing water. Vendors observed dumping water in any unauthorized containers will be closed. Wastewater barrels are NOT provided by the Festival.

39. GREASE: Grease splattering is an area of highest concern. Please make sure you lay down a non-flammable covering underneath your cooking area. Please ensure grease-catching sheets extend beyond the primary cooking area to catch all splatters. Grease containers/barrels are NOT made available through Festival for Food Vendors.

40. REFRIGERATION: The Festival does not provide any form of refrigeration.

Liability Insurance

Do you have liability insurance?

Yes

No

Cinco de Mayo Greeley LLC Liability insurance requirement is \$1,000,000. Please inform your liability insurance carrier to issue a certificate of insurance showing liability insurance coverage for Cinco de Mayo Greeley LLC and Island Grove and its staff, and contractors, listed as additional insured. You are

also required to show proof of worker's compensation insurance. You will need to send a copy of your insurance to your Cinco de Mayo **Greeley LLC by April 20, 2019.**

Acceptance of Agreement

Acceptance of Rules & Regulations*

I accept

By submitting this Food Vendor Agreement, I acknowledge the following: a) I have had the opportunity to review and will abide by this Agreement; b) I have had the opportunity to consult with legal counsel if desired; c) I fully understand the terms and conditions set forth herein and agrees to be bound by the same; and d) **I have or will purchase liability insurance naming Cinco de Mayo Greeley LLC, and Island Grove as additional insured.**

Island Grove Food Vendor Info:

To become a preferred Food Vendor of Island Grove they require a fee of \$200 or you can pay 15% of your proceeds the day of to Island Grove. Info and process here:

<http://greeleygov.com/activities/island-grove/event-planning>

Name of Restaurant or Organization: _____

Contact Name: _____

Contact Phone Number: _____

Physical Address: _____

Email Address: _____

Website: _____

Face Book Page: _____

Circle to select the type of space that you will need and the QUANTITY of spaces required:

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- DO YOU NEED ELECTRICITY? YES OR NO (bring your own extension cord)

\$200: (1) Commercial Food Truck 20x20ft (does not come with tables/chairs)

- DO YOU NEED ELECTRICITY? YES OR NO

**** Submit your JPG logo AND PHOTOS to info@cincodemayogreeley.com for us to advertise your Food Vending location

Please submit this application and check to: CINCO DE MAYO GREELEY

Cinco de Mayo Greeley LLC 930 8th Ave. suite 100, Greeley, CO 80631

Contact Info: info@cincodemayogreeley.com

Office 970-356-0805 Cell 720-232-3671 Lisa