



February 29, 2016

Dear Potential Vendor:

Planning for the 2016 “*Starry Nights*” Summer Concert Series is underway and the City of Brentwood, Parks and Recreation Department is now accepting applications for food and beverage vendors. A total of five vendors will be selected for the series: three to sell food, one to sell dessert/coffee, and one to sell beverages.

The Department is seeking a variety of food and beverages and final selections will be based on the diversity of the offerings to the community.

Concert performances are 7:00 to 9:00 p.m. on Friday evenings in City Park. Vendors are limited to no more than a 10' x 10' space, with location to be determined by the City. They may arrive no earlier than 5:30 p.m. and must stay open until 9:00 p.m. No exceptions. Vendors must commit to selling at all or a few of the concert dates. A per concert charge of \$48.50 will be charged by the City and is due in full prior to the series start. Dates for the 2016 season are as follows:

June 10, June 17, June 24, July 15, July 22, July 29, August 5, August 12 and the possibility of other scheduled special events, with dates still to be determined.

Attached for your convenience, please find a “*Vendor Permit Application*” and pertinent information regarding this program.

All “*Vendor Permit Applications*” are due no later than Monday, March 28, 2016 at 5:00 p.m. in the Park and Recreation Office at 35 Oak Street, Brentwood, CA 94513.

Feel free to contact me if you have any questions at (925) 516-5368.

Kind Regards,

Olivia Alvarez
Recreation Supervisor



If you are selected to participate in the 2016 “*Starry Nights*” in Brentwood Summer Concert Series, you will be required to comply with the following:

Section 1: Vendor Permit Application

- Submit a completed “Vendor *Permit Application*” no later than 5:00 p.m. on Monday, March 28, 2016.
- Submit a copy of the State Board of Equalization Sellers Permit.
- Submit a copy of current City of Brentwood Business License.
- Submit a signed copy of the attached “City of Brentwood Vendor Terms and Conditions”.

Section 2: If selected as a Concert Vendor, submit no later than one month prior to the first date of the event the following additional information:

- Copy of valid Contra Costa County Environmental Health Division Food Permit.
- Certificate of Insurance showing valid liability coverage in the amount of \$1,000,000.
- Separate Additional Insured Endorsement naming “City of Brentwood, its officers, agents, employees, and volunteers” as additionally insured. (This endorsement is a separate document from the Certificate of Insurance. The box at the bottom of your insurance policy being filled in adding the City as additionally insured does not replace this separate document.)
- Proof of automotive insurance policy with a \$500,000 limit.
- If you have employees that will be working at the event, proof of Worker's Compensation Insurance.
- If you do not have employees working at the event, complete and submit a required City form stating such and the Worker's Compensation Insurance requirement will be waived.
- \$48.50 per event to the City of Brentwood Parks and Recreation Department

Submitted “*Vendor Permit Applications*” will be reviewed by April 8, 2016. Accepted vendors will be notified by April 22, 2016. Once selected, vendors must obtain all required information as listed above under Section 2 and submit all paperwork to the Parks and Recreation Office at 35 Oak Street, Brentwood, CA 94513, no later one month prior to the first event.



FOR OFFICE USE ONLY:

Date Received: _____
By: _____
COB Business License
Insurance Requirements
Resale License Required and Provided
C.C.C. Health Permit
Application: Approved Denied

**VENDOR PERMIT APPLICATION
Starry Nights Concert Series and Events**

*(Please **PRINT** all information)*

Applicant Name: _____

Business or Organization Name: _____

Mailing Address: _____ City: _____ Zip: _____

Phone: _____ Cell Phone: _____ Fax: _____

Email: _____ Web Address (if applicable): _____

City of Brentwood Business License Number: _____

(A copy of the City of Brentwood Business License must be submitted with this application.)

State Board of Equalization Seller's Permit #: _____

(A copy of the Seller's Permit must be submitted with this application. For more information on obtaining seller's permits, contact the State Board of Equalization at (800) 400-7115 or www.boe.ca.gov.)

Contra Costa County Environmental Health Division Permit #: _____

(See attached Vendor Terms and Conditions for additional information)

Describe primary product or service to be offered: _____

Note: All vendors wishing to sell food or beverage items must attach a menu or list of specific items to be offered for sale.

Please list type of equipment that will be used (e.g., mobile vending cart, tables, chairs, electrical needs, etc.)

Please list any other information you wish the City to take into consideration when reviewing your application:

I have read, understand, and signed this application and the Vendor Terms and Conditions that are attached to this application. Please note that incomplete applications or applications lacking required attachments will not be accepted.

Applicant Signature: _____

Date: _____

Applicant Printed Name: _____



CITY OF BRENTWOOD VENDOR TERMS AND CONDITIONS

Vendors may sell items in City of Brentwood (“City”) parks and facilities by formal application only, pursuant to the requirements of Title 7 of the Brentwood Municipal Code. Applicants, vendors, and their agents and employees are collectively referred to as “Vendor” or “Vendors”. With the exception of Brentwood Family Aquatic Complex, Sunset Park Athletic Complex, and issuance of exclusive use permits, all City of Brentwood parks and facilities are open to the general public. If a vendor wishes to sell goods and/or services in City of Brentwood parks and facilities, vending services must be conducted under the following terms and conditions BMC 7.02.215 Vendor Permits:

Submission of an application does not guarantee a Vendor Permit will be granted. The decision of the City for approval or denial of an application is final.

The City reserves the right to require Vendors to provide photographs, lists of items to be sold, including price for each item. **Vendor permits are issued for specific events and time periods only.** The City reserves the right to not allow vending at specific, City-sponsored special events.

1. APPLICATIONS

Vendor Permit Applications are available in the City of Brentwood Parks and Recreation Department office located at 35 Oak Street, Brentwood, CA 94513 or online at www.brentwoodca.gov Vendors will be contacted by the City within five days after receipt of a completed application and informed as to the status of their application.

2. LOCATION/CIRCULATION

Vendors are not allowed to circulate throughout the crowd. Vendors are required to stay within 6 feet of their designated area. Vendors are not allowed to call out or project other noises (e.g., bells, sirens, whistles) to call attention to their merchandise.

3. DISPLAYS

Vendor displays are subject to City approval. The City prohibits display items that promote alcohol (e.g. umbrellas bearing a beer logo). The City also reserves the right to limit and prohibit types and quantities of all vendors’ products. The City reserves the right to require food vendors to sell a percentage of their items that are healthy as described in the Vending/Concession Standards (City Council Administrative Policy #90-3). Only items listed on the Vendor application that have been approved will be allowed to be displayed or sold in the vendor’s site.

4. **OTHER LAWS**

All Vendors must comply with all applicable City, Contra Costa County, California state and federal laws. Any required permits needed to vend in City parks and facilities are the assumed responsibility of the Vendor. Vendors must submit a copy of the State Board of Equalization Seller's Permit at the time of application. Vendors shall be responsible for collecting and reporting any applicable taxes. All Vendors are required to have a valid City business license.

All Vendors must comply with all Contra Costa County Environmental Health Division requirements for temporary food events.

Any Vendor that is selling any food product must apply for the required County permits. Obtaining all required County permits needed to vend in City parks and facilities and are the assumed responsibility of the Vendor. When filling out the County application, it requests Name of Event, please write in the name of the park/facility and the name of the special event (if applicable). For more information and/or to obtain an Application for Temporary Food Event Permit, please contact the Contra Costa Environmental Health Division at (925) 692-2500. Original permit must be posted in Vendor space/site. No refunds will be issued to a vendor if they are not in compliance with Contra Costa County Environmental Health Division Temporary Food Event standards and are disqualified from vending in City parks and facilities.

5. **INSURANCE**

A Certificate of Insurance showing valid liability coverage in the amount of \$1,000,000 must be submitted prior to issuance of Vendor Permit. A separate Additional Insured Endorsement must also be submitted naming "City of Brentwood, its officers, agents, employees, and volunteers" as additional insured. Proof of automotive insurance with a \$500,000 limit is also required. If Vendor has employees, proof of Worker's Compensation insurance must also be submitted. If Vendor is a sole proprietor, proof of Worker's Compensation can be waived with submission of a letter stating such.

6. **INDEMNITY**

Vendor will hold harmless, defend and indemnify City, its officers, agents, volunteers and employees from and against any and all claims, demands, costs or liability including attorney fees arising out of or in any way connected with the performance of this Vendor Permit, caused in whole or in part by any act or omission of the Vendor, any of its subcontractors, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, except to the extent caused by the active negligence or willful misconduct of City.

7. **SUPPLIES AND EQUIPMENT**

Vendor is responsible to bring any supplies and equipment including chairs, tables and canopies necessary for display of products. Display units should be designed for outdoor use and capable of withstanding the elements. All umbrellas, tents, shade coverings, or unstable or fragile items must be secured or anchored. Heavy merchandise should be placed or secured in manner as to prevent injury in the case they should be blown over by winds. All displays must be contained in the assigned space/site provided. Vendor shall be responsible for set up of sales display, removal, and cleanup of his/her space/site. Waste must be carried off-site by the Vendor for proper disposal.

City does not provide tables, chairs, easels, tents, canopies, sign stands, signs, rope, tape, table covers, or dollies.

Sales of products must be conducted by Vendors who are adults (18 years of age and older). No City staff will be allowed to "stand-in" for Vendors.

Vendors will be allowed to unload vehicles only during specified hours. All vehicles must be cleared from City parks or property by the time so designated on the Vendor Permit. Overnight placement of booths, trailers, equipment, or any other Vendor-related items is strictly prohibited in any City park or facility. Vendor is limited to a 10'x10' space with the location determined by the City. Vendors may not drive vehicles onto sidewalks to unload at any time. No food trailers are permitted.

8. ALCOHOL/ILLEGAL SUBSTANCES

No illegal substances or alcohol are allowed in City parks/facilities at any time.

9. PHOTOGRAPHS

The City has the right, without compensating the Vendor, to photograph Vendor, Vendor's booth and Vendor's products and to reproduce, release, and utilize those photographs in publicity materials. Photographs taken during event(s) may be used for all future promotional purposes and hereby grant permission to the City to use photographs in the City's publications and the City's internet webpage.

10. CANCELLATION/POSTPONEMENT

The City reserves the right to postpone, relocate, or cancel special events in City parks and facilities as may be found necessary due to accident, fire, natural disaster or any other causes beyond the City's control. The City is not responsible for any losses experienced by the Vendor in such cancellations.

11. SUBMISSION REQUIREMENTS – (Only if selected to Vend at “Starry Nights”)

All permits, fees, and insurance documentation **MUST BE SUBMITTED TO THE CITY OF BRENTWOOD NO LATER THAN 30 DAYS PRIOR TO EVENT DATE.** Failure to submit the required documents by the deadline listed above will be cause for City to terminate the Vendor Permit.

I HAVE READ AND UNDERSTAND THE ABOVE CITY VENDOR PERMIT TERMS AND CONDITIONS. I AGREE TO COMPLY WITH ALL TERMS AND CONDITIONS, POLICIES, RULES AND/OR REGULATIONS STATED OR REFERRED TO ABOVE.

Vendor Signature: _____

Date: _____

Vendor Printed Name: _____

DBA: _____

Address: _____

