



FESTIVAL 2009

FESTIVAL DATES & HOURS

Saturday, September 5	10 AM – 6 PM
Sunday, September 6	10 AM – 6 PM
Monday, September 7	10 AM – 5 PM

General Information

Tapestry emphasizes a diversity of culinary offerings, in particular a large international selection. Consideration will be given to those vendors who serve unique foods appropriate to an outdoor summer event. Tapestry limits the number of vendors within each food category. When filled, categories may close prior to the registration deadline. Vendor selection from qualified applicants is based on the receipt date of completed applications, payment of minimum deposit and submission of menus. Tapestry reserves the right to select vendors based on suitability to an outdoor festival and established category limits.

Upon acceptance, food vendors will be sent a packet of information on insurance requirements and fire and health department regulations and fees. Contact TEC if you are unsure that you are able to meet these requirements. Food vendors or their representatives must sign the letter acknowledging fire and health regulations.

No food vendor may transfer, let, sublet, or sell their booths either entirely or partially with or without charge. Menu items other than those approved by Tapestry may not be sold from or advertised in the food vendor space. TEC personnel will periodically check food vendor booths during the event to insure compliance with Tapestry's policies and procedures and adherence to the approved menu. Violators of Tapestry's policies and procedures are subject to removal from the festival and forfeiture of fees and/or refundable deposits.

Make Checks Payable to TAPESTRY ARTS

Mail checks, applications & booth layout by June 5, 2009 to:
TEC Productions, 1202 Lincoln Ave #101, San Jose, CA 95125
Questions: 408 275-6325 x 42 and leave a message. Calls will be returned within 48 hours or email mzaro@tecproductions.com.

All Festival 2009 food vendor applicants must submit the following:

- Festival application no later than the deadline of June 5, 2009
- Payment for the required fees per the schedule and timeline
- Photo/slide of food booth with scale drawing of booth layout
- Menu of items to be sold at the festival
- Copy of valid sales permit
- Additional insured status for Tapestry Arts, TEC Productions, Inc. & City of San José

All vendors must comply with all local, state and federal regulations and fire and health codes. All vendors must have a valid sales permit and resale number, collect taxes and be responsible for all sales and collections. A sales permit can be obtained from the State Board of Equalization at (408) 277-1231. San José's sales tax is 8.25%. In addition, an accepted food vendor must show proof of liability insurance for a minimum coverage of \$1,000,000 and name Tapestry Arts, its Board of Directors and staff, TEC Productions, Inc., and the City of San José and its employees as additional insured.

Booth Space and Set-up

Spaces are 10' wide by 10' deep, BBQ spaces are 20' wide by 10' deep, and deep fryer spaces are 17' wide by 10' deep. Additional space may be requested. See fee schedule for applicable charges. All booths must comply with the fire code and bear the State Fire Marshall's Seal of Approval. Any construction material, other than rigid framing, and all decorative materials must be fire resistant or fire resistant treated. Fire resistive paints and sprays must bear the State Fire Marshall's Seal of Approval. Non-compliance will result in booth closure.

Booth rentals are available through Tapestry. Please indicate that you wish to rent a booth on the submitted application. Booth fees must be paid in full no later than June 26, 2009.

The sale of food is restricted to the booth/cart and no solicitation of attendees or distribution of material is permitted outside a vendor's booth area. Food vendors are responsible for staffing, equipment, supplies, and assembling and dismantling their booths. **All BBQ areas must protect the street with an approved covering which measures two feet greater than the area of the BBQ (covering must be a minimum of 5 feet). No tarps are allowed, unless they bear the State Fire Marshall's Seal of Approval. Please call the local fire department for instruction on approved coverings.**

*Food vendors will be allowed on the festival grounds on Saturday, September 5 at 5 AM until 9 AM for set-up. **NO food vendors will be allowed on the festival grounds on Friday night.** Only cart vendors with multiple carts will be allowed to set up on Friday night in a specially designated staging area. No exceptions!*

Power

Power will be provided by Tapestry as requested. The use of power is limited to cooking and refrigeration only. **NO generators are allowed!!** Power provided by Tapestry, BBQs and propane are the only power sources permitted. All power sources must meet the Fire Marshall regulations and environmental restrictions, be secured in an enclosed area, and are subject to Tapestry's approval. Vendors have an option of purchasing power (power line to booth and usage) from Tapestry. Please see electrical breakdown on application to determine your electrical needs and applicable fees.

Signage

Health Department rulings require each booth/cart to have a clearly visible sign with the name, address and phone number of the owner, operator, permittee or business posted on the front of your booth. The name must be in lettering at least 3 inches high and each letter must be 3/8 inch wide. Letters and numbers for the address and phone number must be at least 1 inch high. **Use of sandwich board signs is prohibited.**

Waste Management

Tapestry will provide dumpsters, separate metal barrels for the disposal of grease and containers for gray water. All boxes must be flattened before disposal. **All BBQ areas must protect the area with an approved covering** (see booth space and set-up information above).

Food vendors are responsible for transporting garbage, grease, and gray water to designated containers. Use of propane is preferred. Vendors must provide for their own fireproof disposal units. Please be sure to use the proper disposal containers.

COMPOSTABLE MATERIALS – NEW*!*

In an effort to reduce the amount of waste generated during the event, all vendors are responsible for full participation in the event's waste reduction program. This may include but is not limited to recycling and/or composting of food service ware, food scraps, cooking oil, etc. **A separate compliance deposit is required this year.** Each vendor will need to submit a check (no charge cards may be used) in the amount of \$150. If vendor is found to be compliant by the City of San Jose Environmental Services Department (ESD), these checks made out to Tapestry Arts, will be returned uncashed. If vendor is non-compliant the deposit check will be cashed to supplement the expense of additional disposal costs for the non-recyclable and/or non-compostable products. Each vendor will have an opportunity to order City of San Jose approved supplies through the City and **at the City's expense this year for the 2009 Festival.** To obtain products at no cost, vendors must order by July 17th. **NO EXCEPTIONS!** Forms will be sent to vendors upon acceptance and prior to July 17th. Product information for San Jose Zero Waste Events is included with this application. Informative food vendor meetings are listed on the attached info sheet. You may attend any of the meetings if you can't attend the specific Tapestry meeting date and time.

Water

Tapestry anticipates an availability of on-site potable water. Upon notice of any change, alternate arrangements will need to be made by the food vendor. Access to any other nearby water source is prohibited and is cause for immediate booth closure and removal from the festival.

Premium Corners (Commissioned Items ONLY)

For commission item vendors (coffee, smoothies, frozen yogurt, lemonade, etc.) a limited number of premium corner spaces are available at an additional \$200 per space. Premium corner spaces are located at the high traffic corners of Park & Almaden. The premium corners are available on a first-come, first assigned basis.

Security

Tapestry provides minimal 24-hour roving security during the festival lasting through Monday at 9 PM. Tapestry does not accept responsibility whatsoever for loss or damage to vendor's booth, material, supplies and/or equipment

Beverage Restrictions

Tapestry reserves its exclusive right to sell beer, wine, soda and bottled water. A limited number of vendors can apply to sell up to two approved beverages upon approval by Tapestry and receipt of the beverage fee. Approved beverages are iced tea, lemonade, fruit juices and fruit drinks. Beverages must be sold in cups only.

Cleaning Deposit/Refund

A cleaning deposit of \$200 per booth/cart is required. At the end of the festival, Tapestry will inspect the assigned area for cleanliness - including but not limited to garbage, spills, sidewalk stains, street stains and damage to city property. The common dump area for each food court (gray water and grease) will also be inspected. If these areas are not found to be in good condition (i.e. grease and charcoal barrels, debris in gray water), any special handling charges incurred by Tapestry will be evenly distributed and deducted against the cleaning deposit of all food vendors in that food court. A maximum of \$125 is refundable and will be mailed within 30 days from the close of the festival.

Commission (restricted items)

The following items are considered to be commissioned products: coffee, lemonade and ice cream products, including but not limited to

frozen yogurt and slushes. There are two levels for commissioned products: exclusive sales and non-exclusive sales.

Exclusive sales require a non-refundable deposit of \$2500. The commission is 35% of the gross sales. Included are spaces for up to three booths and/or carts.

Non-exclusive sales require a non-refundable deposit of \$1500. The commission is 25% of the gross sales. Included are spaces for up to two booths and/or carts.

Additional spaces are available at the standard fee. All other fees are the responsibility of the vendor (including health fees, cleaning deposit, compliance deposit and electricity fees).

FOR ALL QUESTIONS CALL TEC and leave a voicemail at 408-275-6325 ext. 42. Calls will be returned in 48 hours or email mzaro@tecproductions.com.

2009 Timeline

April 10	\$100 discount if paid in full
June 5	Application deadline (postmarked)
June 26	Health fees & forms due. Cancellation deadline for full fees less \$100 handling fee and \$25 registration
June 26	Fees paid in full (NO refunds will be issued if cancelling after this date)
July 17	Compostable Product Order to City of San Jose Deadline
August 3	Health forms and fees deadline

Application Policy

Applications must be postmarked by June 5, 2009. The selection process is on-going, however, with categories closing as they are filled. To secure your menu, submit the menu listing with the application, and include a non-refundable \$25 registration fee and a \$300 deposit. Prior participant menus will have priority.

Failure to comply with the deadlines and/or remit fees as outlined in this application will be considered an unwritten notification of cancellation. Vendor will forfeit all fees paid prior to the cancellation. To receive a refund of fees Tapestry requires a **written** cancellation, sent via **certified mail**, to TEC Productions, which will only be accepted prior to June 26, 2009. A \$100 handling fee will be assessed against fee refunds. If weather, acts of God, or other reasons beyond the control of Tapestry causes the event to be cancelled, participation fees will not be returned and Tapestry will not be liable to participants for failure of the event to take place. If vendors apply and are accepted past the June 26, 2009 deadline AND THEN cancel, NO refunds will be issued under any circumstances.

Checklist

- Completed application form (**BOTH SIDES**)
- Fee payment (check payable to Tapestry)
- Booth layout
- Separate \$150 check for San Jose Zero Waste Deposit
- New Vendors* – booth photo

Food Vendor Application - 2009

Print and fill out. Fax to 408.275.1902 or mail to:

TEC Productions, 1202 Lincoln Ave #101, San Jose, CA 95125

For ALL questions, please call TEC at 408.275.6325 x42 (leave voicemail)

		Company Name:	
Basic Fees			Enter amounts here
<input type="checkbox"/> Registration (non-refundable)		\$ 25	\$ 25.00
<input type="checkbox"/> Space fee – standard	# _____ of spaces x \$ 1000		\$
<input type="checkbox"/> Space fee – dessert item only	# _____ of spaces x \$ 500		\$
<input type="checkbox"/> Additional space	\$ 100 per foot (minimum of 2 feet)		\$
<input type="checkbox"/> Cart fee	\$ 500 per cart		\$
<input type="checkbox"/> Cleaning Deposit	\$ 200 per booth/cart (\$ 125 refundable)		\$
<i>Health Fees – You will be invoiced for additional Health Dept. fee changes after 6/30/09</i>			
<input type="checkbox"/> Booth Health fee	(This amount is valid until 6/30/09) per booth	\$ 183	\$
<input type="checkbox"/> Booth Health fee (Non-profit fee)	(MUST submit proof of status) per booth	\$ 67	\$
<input type="checkbox"/> Cart fee	per cart	\$ 63	\$
<input type="checkbox"/> Cart fee (Non-profit fee)	(MUST submit proof of status) per cart	\$ 56	\$
EXTRAS (optional)			
<input type="checkbox"/> Booth rental fee	per booth =	\$ 155	\$
<input type="checkbox"/> Electrical fee	\$ 75 per first 5 amps \$ 65 for each additional 5 amps		\$
<input type="checkbox"/> Beverage fee (see restrictions in food vendor information)	One beverage – booths/carts \$ 750 each Two beverages – booths/carts \$ 1,000 each		\$
<input type="checkbox"/> Premium Corner	\$200 (ONLY if available)		\$

Commission Sales ONLY (applies only to specific items as outlined in application information – new vendors please call before signing up as a commission vendor)

<input type="checkbox"/> Exclusive sales - combination of 3 booths/carts	\$ 2,500 per combination	\$
<input type="checkbox"/> Non-exclusive sales combination of 2 booths/carts	\$ 1,500 per combination	\$
<input type="checkbox"/> Premium corner commission sales only	\$ 200 per booth/corner	\$

SUMMARY

Full Contract Amount		\$
Previously submitted deposit		\$
Early registration discount Subtract \$100 (returning vendors paid by 12/14/09 ONLY)		\$
Full Payment Discount Subtract \$100 if paid in FULL by April 10, 2009		\$
Amount Enclosed (this payment)		\$
Balance Due		\$
Separate Mandatory check for \$150 San Jose Zero Waste Deposit	\$150	\$

Payment Method Check (payable to Tapestry) Money Order Visa Mastercard

Cardholder Name _____

Card Number _____

Authorized Signature _____

Expiration Date _____

Zip Code _____

Amount Charged _____

TAPESTRY ARTS FESTIVAL 2009

Company Name _____

Authorized Contact Person _____

Name of person who will be on-site at the festival _____

Email _____ Fax _____

Address _____ Website _____

City _____ State _____ Zip _____

Day Phone _____ Night Phone _____ Cell Phone _____

Resale number _____

Insurance Carrier _____ Policy # _____

Vehicle type _____ Color _____ License # _____

Will you require space for:

BBQ, 10' X 20' (10' for booth & 10' for BBQ) Yes ___ No ___ OR Deep Fryer, 10' for booth & 7' for deep fryers? Yes ___ No ___

Will you require additional space other than what is stated above? Yes ___ No ___

If yes, how many feet? ___ (Additional space \$100/per foot – minimum of 2 feet if needed above the limitations stated above)

Intended Power Source

No power Electricity

Appliance type(s)	Voltage	Watts	Amps

BBQ's that ONLY use PROPANE Preferred

BBQ Deep Fryer Propane Charcoal

Proposed Menu (list below or attach a detailed menu)

Item	Portion	Price

The vendor agrees to indemnify and save harmless Tapestry Arts Festival, the organization's and event's officers, TEC Productions, Inc., agents and employees and the City of San Jose from any and all claims, causes of action, suits, damages, injury and loss to person or goods arising out of or in any way connected to the renting of space in the Festival. Vendor agrees to indemnify and hold harmless Tapestry Arts and the City of San Jose from any claims arising from the acts of negligence of vendors, their agents or employees.

I have read the terms and conditions and agree to all items therein. I understand that acceptance of payment does not ensure acceptance of this application and that this Agreement is not binding upon Tapestry until confirmed in writing. I understand Tapestry makes no promises or guarantees regarding anticipated sales.

I understand that, if accepted, photographs, slides or video of me, my booth, personnel and food items may be used by Tapestry for promotional purposes.

Signature _____ Print Name _____ Date _____

Product Information for San Jose Zero Waste Events

In 2008, the City of San Jose initiated a Zero Waste Event program and provided compostable products at no cost to food vendors participating in the Zero Waste Events listed below. The City plans to continue this program in 2009. Food vendors can elect to supply your own products so long as they meet the Zero Waste Event Product Requirements included below.

To receive City Provided Products at No Cost, Vendors Must:

Order products by the deadlines noted for each event (no exceptions!)

Pick up products from a central location at each event

Event Name	Deadline for Orders (no exceptions!)
Cinco de Mayo	March 13
American Independence Festival	May 15
Jazz Festival	June 19
Tapestry Arts Festival	July 17
Italian Festa	August 7

**Food vendors at Zero Waste Events MUST use products that meet the requirements below.
Save yourself time and money by ordering your products in advance.**

Zero Waste Event Product Requirements

New - Clear cups and lids must be  recyclable plastic.

All other serviceware must be compostable.

No other plastic serviceware, including Styrofoam™, may be used at these events.

Acceptable Compostable Food Serviceware Products

- Paper wraps, paper napkins, lightly coated or non-coated paper cups, plates, bowls, pizza boxes, coffee filters, etc. Dixie™ and Solo™ brand paper products that can be ripped can be composted. (The rule of thumb is if it is 90% paper you can rip it, you can compost it.)
- Utensils, made from compostable corn or potato, that are BPI certified (not plastic!)
- Bagasse (sugarcane) plates, bowls, clamshell containers
- Clear PLA (poly lactic acid or “plastic look alike”) products made from corn – deli containers, clamshells, etc. (these **must** be labeled with a green stripe or sticker for identification as compostable and be BPI certified for compostability – a list of products and manufacturers that meet this certification can be found at : <http://www.bpiworld.org/BPI-Public/Approved/2.html>. **Remember, cups must be #1 recyclable plastic, not compostable PLA.**
- Waxy cardboard

Informative Food Vendor Meetings - Save the Date!

Food vendor workshops will be offered on the following dates to correspond with the Zero Waste events as noted. Compostable product examples will be available and additional details about the program will be provided at these meetings. Vendors can attend any meeting, but only need to attend one meeting. The City provided products can be ordered at each meeting, so long as the order is received prior to the corresponding event deadline. Product order forms will be distributed for events in early March.

Meeting Date - 2009	Corresponding Event	Meeting Time	Meeting Location
Monday, March 2	Cinco de Mayo	6:30 PM	MLK Library Room 229A
Wednesday, May 6	American Independence	6:30 PM	MLK Library Room 229A
Thursday, June 4	Jazz Festival	6:30 PM	City Hall, Wing Room 120
Monday, July 6	Tapestry Arts	6:30 PM	City Hall, Wing Room 120