



Lehigh University Vendor Sales on Campus: Commercial Activity Policy and Procedures

I. Policy Statement

For the convenience of its community, Lehigh University allows limited sales to be conducted on its campus in ways that are consistent with the University's mission, take account of off-campus businesses, and comply with applicable laws and regulations.

Lehigh regulates the use of its property for sales and other commercial activities in order to maintain a safe, attractive environment for instruction, research, and public service; to facilitate opportunities for its faculty, students, and staff to engage in the community; to promote off-campus local and regional economies; and to comply with all applicable regulations, including those governing the University's tax-exempt status. This policy is not intended for current on campus vending machines, Athletics and LUAA sales, other established, or on-going or long-term agreements with vendors.

II. Purpose

This policy outlines the guidelines relating to sales on the Lehigh University campus and in University facilities.

University property and its facilities are intended for the use of its students, faculty, staff and invited guests participating in University-approved programs or activities. In the interest of providing a productive living, learning, and working environment for students and employees and protecting the institution's authorized business activities and interests, the University has established policies and procedures for the approval of commercial activities by outside vendors and organizations. Decisions regarding requests will take into account overall campus safety and security, any special circumstances relating to University activities, and the impact such activity may have on the University. This policy applies to all University departments, University-affiliated organizations (student or non-student), commercial vendors, charitable organizations, faculty, staff, students, and third parties. Final approval for all such activities is at the sole discretion of Lehigh University.

III. Commercial Activity

A. *Definitions and Permissible Activities*

- Commercial Activity – the sale (or purchase) of any products, goods, food, beverages, advertising activities, promotion, and commercial informational activities, or services –

on the campus requires prior written authorization via the “On-Campus Vending Application”, a signed “On-Campus Vendor Contract”, a payment, a Certificate of Insurance (COI), and must be conducted in accordance with University policy and the regulations established by the authorizing office.

- Commercial activities will generally be prohibited unless:
 - the University or a University-affiliated organization does not offer the service or goods, **and**
 - it is determined that the activity is either necessary to the purpose of the university, **or**
 - it provides a direct benefit to the university or the sponsoring university-affiliated organization.

The benefit to the University community must be included in the request for approval.

- University-affiliated organization/office, sponsoring or otherwise, are not permitted to receive any kind of sales commission from the event – including percentage of sales or per unit sold fee.
- Uninvited/unapproved commercial activities, which include commercial presentations, door-to-door, and other commercial solicitations, and the making of sales agreements, are prohibited on University property.
- Sales may not violate any current exclusivity agreements made with contractual campus vendors.
- All activities should be occasional, non-continuous and specific in purpose and may be approved only for designated areas on campus. Occasional sales are limited activities. Authorization will not be given for widespread commercial activity throughout the year. Regular, recurring activities are prohibited.
- This policy does not pertain to current designated retail outlets. Defined as: An on-campus sales unit or internet service established and contracted by, or operated directly by, the University with permission to sell approved products and services. Examples are – the LU Bookstore, Johnny’s, The Cup, Copy Center, Sodexo Dining Facilities, Department of Athletics, etc.
- Sales of alcohol, tobacco, firearms, drugs/illegal substances, and any related products are strictly prohibited.

B. *Responsibilities of vendors and other permitted guests engaged in commercial activity on campus pursuant to this Policy:*

- Review “**Lehigh University Vendor Sales on Campus: Commercial Activity Policies and Procedures**” document.
- Submit “On-Campus Vendor Application” (online form) to University Business Services, Director of Retail Partnerships, no less than ten (10) business days prior to event.
- After application is processed and approved by Director of Retail Partnerships, vendor will receive an email confirming approval, along with additional steps and information.

- Requested location will be placed on temporary hold until all necessary documents and payment is received by the Director of Retail Partnerships.
- Vendor must obtain any additional approvals/permits outlined in the instructions.
- Submit required documents and payment outlined in instructions before location reservation can be finalized and final approval given. If requested items are not received within five (5) days of event - location hold will be lifted and released to campus for use. Required documents will include, but are not limited to:
 - A Certificate of Insurance (COI), with the following specifications:
 - 1 million commercial general liability
 - Lehigh University to be named as additional insured
 - Lehigh University to be named as the certificate holder – please use address: 616 Brodhead Avenue - Bethlehem, PA 18015
 - COI should be mailed to: 306 S. New Street, Suite 428, Bethlehem, PA 18015. OR it may be emailed to mos513@lehigh.edu.
 - Signed “On-Campus Vending Contract”
 - Payment
- Vendors may not engage in misrepresentation or fraudulent trade practices nor other activities that are illegal or in violation of state or federal laws or University policies.
- Vendors are responsible for complying with local, state, and federal laws, regulations, and ordinances, including sales taxes requirements, and for securing any necessary licenses, or permits required by governmental authorities, including, as applicable:
 - Health Certificate from the City of Bethlehem
 - A City of Bethlehem Business Privilege/Mercantile Tax License
 - City of Bethlehem Fire Department Permit

C. *Violations of this Policy:* Salespersons and any company involved will be held responsible if University policies are violated. Such violations may result in the individual or company losing the privilege of conducting future commercial activity on campus.

IV. Procedures for Approval

Step 1: Review ““Lehigh University Vendor Sales on Campus: Commercial Activity Policies and Procedures” document.

Step 2: Submit “On-Campus Vendor Application” (online form) to University Business Services, Director of Retail Partnerships, no less than ten (10) business days prior to event. Your requested space will be put on hold.

Upon approval...

Step 3: Read, fill-out, and sign “On-Campus Vending Contract” and return to Director of Retail Partnerships for final signature.

Step 4: A Certificate of Insurance (COI) must be provided by the date of the event to Lehigh University Business Services, with the following specifications:

- 1 million commercial general liability
- Lehigh University to be named as additional insured
- Lehigh University to be named as the certificate holder – please use address: 616 Brodhead Avenue - Bethlehem, PA 18015
- COI should be mailed to: 306 South New St., Suite 428, Bethlehem, PA 18015. Or Emailed to: mos513@lehigh.edu

Step 5: Payment. Please make check payable to Lehigh University and mail to: 306 South New St., Suite 428, Bethlehem, PA 18015

V. Fees*

On Campus Vendor Fees for Commercial Activity/Sales on Campus 2018 - 2019	
Location	Daily Rate (for-profit organizations selling on campus)
University Center - 2nd Floor (inside)	Please contact mos513@lehigh.edu
University Drive at Flag Pole (outside)	Please contact mos513@lehigh.edu

* Fees are subject to change without notice. Any changes in fees or fee structure is at the sole discretion of Lehigh University.