



CONTRACT FOR FIREWORKS DISPLAY

Sponsors : Main Street Marianna
Contact : Meghan Basford (850) 718-1022
Date of Display : July 3rd, 2022
Location : Marianna Parks and Recreation
Time : 9:15pm
Duration : 15 Minutes
Show Price : \$20,000
Deposit : \$10,000
Remarks :
Rain Date : July 5th, 2022

We the undersigned, being interested in a fireworks display for Main Street Marianna agree to pay a price of \$20,000 for the display agreed upon, which will be furnished by KYNEX, Inc.

The undersigned, intending to be legally bound, agree as follows:

1. Sponsor to make a deposit payment of 50% of the contact price upon signing of contract, but no later than 30 days prior to display.
2. In the event Sponsor shall fail to pay any sum when due under the terms of this contract, Sponsor shall pay, in addition to such amount, interest rate of 1½% per month on the unpaid amount from the original due date. Sponsor does further agree that it shall pay KYNEX's reasonable attorney's fees and court costs in the event KYNEX shall commence suit or incur fees to compel Sponsor to pay any sums due hereunder or otherwise as a result of Sponsor's default of any of the terms and provisions herein contained.
3. SPONSOR'S AGENT: Meghan Basford be designated as Sponsor's agent to whom all questions and inquiries shall relay all questions and inquiries. Sponsor's agent shall be the only agent of sponsor authorized to request rescheduling of the delivery and exhibition of the fireworks on the part of the sponsor.
4. If even is on land, sponsor to furnishing police and/or crowd security personnel, provide proper parking supervision, and insure adequate patrol of the safety zone as marked and secured by the sponsor until KYNEX Inc. advises that it is no longer necessary.
5. If event is over water, KYNEX Inc. will be responsible for marine permit, and for control of safety zone.
6. KYNEX Inc. reserves the right to stop the display in the event persons, vehicles, or animals enter the secured safety zone and security is unable or unwilling to remove them and enforce the safety regulations.

7. KYNEX Inc. will furnish all applicable licenses, permits and \$1,000,000 liability insurance and pyrotechnicians for your electronically fired display.
8. **NOTE:** In accordance with local regulations and ordinances, fireworks displays shall not take place later than 10:30pm unless approval is obtained from the governing authority. The restrictions shall not be applicable with regards to holidays such as December 31, January 1, or other national holidays. If for some reason, shoot time does not occur before the allotted time and shoot is cancelled due to local authority or expiration of permit, Sponsor is liable for full payment of display.
9. Hold harmless KYNEX Inc. from any claims that do not directly relate to damages produced by its staff, equipment, or pyrotechnic material.
10. CREDITS: As a material inducement to KYNEX agreeing to enter into this agreement, Sponsors shall give KYNEX program credit as sole fireworks supplier and producer in all press releases, advertising, and any other program announcements, printed or otherwise.
11. If show is canceled, sponsor is responsible for any permit, fire watch, or barge/tug fees, if applicable. Additionally, Sponsor will be responsible for load in/ load out expenses not to exceed 50% of the budget. If show is stopped while in progress for any reason, Sponsor will still be responsible for contract amount minus the cost of material not discharged.
12. If winds exceed 20 miles per hour, fireworks display will be postponed to an agreed date between Sponsor and KYNEX Inc.
13. Rain date policy is as follows: postponement time is **11:30am** day of display.
14. If the delivery and/or exhibition of the fireworks are postponed by reason of inclement weather, it shall be re-scheduled to the Inclement Weather Date set forth by Sponsor.
15. **In case of nationwide shortages of products, Sponsor agrees to a smaller display and price adjusted accordingly.**
16. **IMPORTANT NOTE:** Items listed in this proposal assume a firing area that conforms to NFPA Code 1123-2014, which states that there must be at least 70 feet per inch of shell diameter between firing site and any spectators, cars, or buildings. This program requires a safety zone that has a radius of **350** feet because of the inclusion of **5 inch** shells. Adjustments will be made to the content of this program if necessary to conform to NFPA 1123-2014.

***KYNEX Inc., upon acceptance of this contract in writing, agrees to fulfill the contract in a workmanlike and professional manner.*

Date

Sponsor