

CITY OF GALLATIN TENNESSEE FIREWORKS DISPLAY

Intent of the Bid

The City of Gallatin (the "City") is seeking qualified vendors to provide a high quality professional fireworks display on the evening of July 4, 2015. The fireworks display will be fired from the Civic Center located at 210 Albert Gallatin Road.

The selected vendor will provide all necessary equipment, pyrotechnic materials, supplies, tools, delivery, permits, labor and supervision required to electronically perform the fireworks display according to the specifications.

Bid Due Date: September 11, 2014

Time: 1:00 PM

Location: 132 West Main Street, Room 106, Gallatin TN 37066

Term

Term of this contract and arrangement will be for the one fireworks display on July 4, 2015.

The City will have the option to extend the contract for additional firework displays; one display on July 4, 2016; July 4, 2017; July 4, 2018; July 4, 2019. Subsequent performances are at the option of the City will be provided under at the same terms and conditions of the contract. Price to be negotiated with no more than a 5% increase per year. The City will notify vender in writing on, or before, December 31st, of each year, whether the contract will be extended for the following 4th

Qualifications & References

The selected Bidder is required to be in the regular business of providing fireworks displays and pyrotechnic shows, of similar size or greater, for a minimum of Five (5) years. Due to public welfare and safety considerations, the selected Vendor must be fully licensed and qualified to buy, possess, transport and fire the proposed pyrotechnic devices for the proposed show.

The Bidder will provide a minimum of 5 business or municipal references for firework or pyrotechnic displays similar to the size and scope of this arrangement. References for indoor or stage displays will not be acceptable.

INSTRUCTIONS TO BIDDERS -FIREWORKS DISPLAY

CITY OF GALLATIN JULY 4TH FIREWORKS DISPLAY SPECIFICATIONS & REQUEST FOR PROPOSAL

The City of Gallatin is seeking proposals from qualified and professional vendors to present a July 4th Fireworks Display sponsored by the City of Gallatin.

Basic details for the event are as follows:

Event: Annual July 4th Fireworks
Date: July 4, 2015
Time: Dark
Location: Gallatin Civic Center
Duration: Up to 24 minutes
Budget: \$15,000.00

Specifications

1. Selected Bidder will provide professionally developed, electronically fired fireworks (Pyrotechnics) display at the above-specified time and location. The Bidder will present a very colorful, high quality display, Duration of the display will be 22 to 24 minutes.
2. The selected Bidder will provide a turnkey fireworks display including all pyrotechnic materials, supplies, power generators, labor, supervision, delivery, general site clean-up of the launch area, and proper disposal of spent shells or debris.
3. Pyrotechnics will include 2.5" shells and up to a maximum of 6" shells. Bidders will submit a detailed list of the minimum number and size of the shells to be included in the display performance, as well as any other materials / effects to be used.
4. Retail value of each shell size (average cost of each shell in a shell size category).
5. By submitting a bid, the Bidder represents (1) that he has visited and inspected the site and surrounding area, and (2) that the site is acceptable for safely launching/firing the pyrotechnics required for the proposed fireworks display.

Tiffany Michelle Conwell The City of Gallatin is seeking a creative, high quality display for the budgeted price. Any unique or creative features included with your proposed fireworks display should be identified.

7. Bidder shall submit a copy of their BATFE Explosives License, USDOT Hazardous Material Safety Permit, and Tennessee Exhibitor's License.

General Information

1. The selected Bidder will comply with all Federal, state and local regulations applicable to providing the fireworks display including any requirements under NFPA 1123, 1124 and 1126 latest edition. Any required permits must be obtained by the selected Bidder as needed for the scheduled display at bidders expense.

2. The selected Bidder will allow adequate time for the City of Gallatin Fire Marshall to inspect equipment and materials during setup and again upon completion of the setup but well prior to the firing time.
3. The selected Bidder will perform all reasonable and necessary safety precautions to ensure the safety of the Vendor's personnel and the viewing public.
4. The selected Bidder will be responsible for the safe storage and security of the equipment and fireworks at all times while on City's property.
5. After the fireworks display is completed, the staging and launching area must be cleared of all spent shells, pyrotechnic fragments, and other debris prior to leaving the area. All collected debris and other spent pyrotechnic materials must be properly disposed by the Vendor.
6. The City of Gallatin fully intends to have the complete performance of the fireworks display as scheduled on July 4, 2015, with no plans for an alternate display date. Bidders must clearly describe the conditions or events that would prevent the performance of the fireworks display at the scheduled time.
7. The City recognizes that the Bidder has invested unrecoverable labor and overhead in a planned show that is not performed, but the Bidder also has some recoverable value in the unused pyrotechnic devices and other materials. If the fireworks display cannot be performed on the specified date, Bidders must provide details about the amount of the monetary credit that will be allowed against the price for the Fireworks Display in the following year (if the City elects to exercise the option).

Proposal Evaluation & Selection Process

1. Due to the wide range of visual quality in a fireworks presentation, the selection of the successful Bidder will be based on a subjective evaluation of the proposed fireworks display and a review of the Bidder's industry qualifications and references for previous displays. The Bidder Qualifications & References Form must be returned with the submitted Bid Sheet.
2. During the selection process, significant weight is given to the level of satisfaction expressed by the provided references and based on the City's own inquiries regarding the Bidder's perceived industry reputation.
3. A video or graphic demonstration of the proposed fireworks display can be submitted with the Bid as an example of the type of display to be performed.
4. Bidder should provide details about any unique or creative features included in the proposed fireworks display.
5. Upon request, and for the Bid evaluation and selection, Bidder will submit to an interview by the City regarding his submitted Bid.

INSTRUCTIONS TO BIDDERS -FIREWORKS DISPLAY

Performance Bond:

A performance bond in the amount of 100% of the bid amount will be required for this project. Language of the performance bond must be satisfactory to the City Attorney.

Insurance Requirements:

INDEMNITY; INSURANCE:

Contractor shall defend, save, hold harmless, and indemnify the City of Gallatin, Tennessee, and its officers, employees, agents, and members, from all claims, suits, or actions of whatever nature resulting from or arising out of the activities of Contractor or its officers, employees, subcontractors, or agents under this contract.

EVENTS OF DEFAULT: Contractor shall be in default under the Contract if:

- Contractor commits any material breach or default of any covenant, warranty, certification, or obligation it owes under the Contract;

- Contractor institutes an action for relief in bankruptcy or has instituted against it an action for insolvency; makes a general assignment for the benefit of creditors; or ceases doing business on a regular basis of the type identified in its obligations under the Contract; or

- Contractor attempts to assign rights in, or delegate duties under, the Contract.

Insurance provisions: worker's compensation, general liability, professional liability (errors and omissions), automobile liability

Insurance. Contractor shall at its own expense provide the following insurance:

i **Worker' s Compensation** insurance in compliance with ORS 656.017, which requires subject employers to provide Tennessee workers' compensation coverage for all their subject workers.

ii **General Liability** insurance with a combined single limit, or the equivalent, of not less than \$5,000,000 including the cost of legal defense. Coverage shall be written on an occurrence basis. It shall include contractual liability coverage for the indemnity provided under this contract. Coverage must be limited to a deductible of no more than \$2,500 per occurrence. Contractor is responsible for any deductible payment.

iii **Automobile Liability** insurance with a combined single limit, or the equivalent, of not less than \$5,000,000 including the cost of legal defense including coverage for owned, hired or non-owned vehicles, as applicable.

Notice of cancellation or change. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days' written notice from the Contractor or its insurer(s) to the City.

Additional Insured/Certificates of Insurance. Contractor shall name The City of Gallatin, Tennessee, and its elected officials, officers and employees as Additional Insureds on any insurance policies required herein but only with respect to Contractor's services to be provided under this Contract. As evidence of the insurance coverages required by this Contract, the Contractor shall furnish acceptable insurance certificates prior to commencing work under this contract. The certificate will specify all of the parties who are Additional Insureds. Insuring companies or entities are subject to the City's acceptance. If requested, complete copies of insurance policies, trust agreements, etc. shall be provided to the City. The Contractor shall be financially responsible for all pertinent deductibles, self-insured retentions and/or self-insurance.

Shortage Penalty: At the determination of the City, a penalty of three times the retail value will be applied to shortages.

Name of Company: _____

Address: _____

Telephone: _____

Signature: _____

Print Name: _____

Title: _____

Date: _____

References for three similar-sized and type of fireworks displays, performed in the last 12 months, preferably located in this geographical region:

1. Reference Name: _____

Contact Name: _____

Address: _____

Telephone: _____

2. Reference Name: _____

Contact Name: _____

Address: _____

Telephone: _____

3. Reference Name: _____

Contact Name: _____

Address: _____

Telephone: _____

4. Reference Name: _____

Contact Name: _____

Address: _____

Telephone: _____

5. Reference Name: _____

Contact Name: _____

Address: _____

Telephone: _____

Note: This Qualifications & References sheet must be returned with the Bid.