

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
 For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
 _____ Recommendations of Boards, Commissions & Committees (Green)
 _____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager


DATE: May 12, 2021 (B of T) Date: May 20, 2021

TITLE: A Resolution Authorizing Signature of the Village President on a Fireworks
 Production Agreement (Mad Bomber Fireworks Productions)

BACKGROUND/POLICY IMPLICATIONS:

Attached please find information regarding a recommendation to approve a Fireworks Production Agreement with Mad Bomber Fireworks Productions for the provision of a fireworks display on July 4, 2021 in Madison Meadow Park at a cost of \$35,000.

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <u></u> _____	Date <u>5/12/21</u> _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott Niehaus, Village Manager
FROM: Nicole Aranas, Assistant Village Manager
DATE: May 12, 2021
SUBJECT: **APPROVAL OF A FIREWORKS PRODUCTION AGREEMENT
MAD BOMBER FIREWORKS PRODUCTIONS – 4TH OF JULY FIREWORKS DISPLAY**

Attached please find information recommending approval of a Fireworks Production Agreement with Mad Bomber Fireworks Productions for the production of a fireworks display to take place in celebration of Independence Day on July 4, 2021 in Madison Meadow Park.

In 2019, the Village issued a Request for Proposals (RFP) seeking qualified vendors for a computer choreographed and electronically fired fireworks production and display to take place on July 4, 2019 with renewal options for 2020 and 2021. Multiple pyrotechnics vendors were solicited to provide proposals for the provision of a fireworks display for the Village. A contract was awarded to Mad Bomber Fireworks Productions for 2019 with options to renew under the same terms for 2020 and 2021.

Following the 2019 display, the Village did not exercise its option for pyrotechnics display in 2020, but remains eligible to renew for 2021. Pending final approval of the contracts with Mad Bomber and the Park District, it is recommended that the Board authorize execution of a Fireworks Production Agreement to take place on July 4, 2021. All approvals would be subject to State of Illinois restrictions on gatherings and consent and approval of the Lombard Park District.

It is the recommendation of Fire Marshal Johnson to proceed with a renewal of the contract with Mad Bomber Fireworks Productions for 2021. Mad Bomber has an established history of dependability, safety, cooperation with Village and Fire Department Staff as well as a record of an enjoyable fireworks production.

Having been the fireworks vendor for the Taste of Lombard for more than a decade and the vendor for the 2015-2019 Village of Lombard displays, Mad Bomber Fireworks Productions has significant experience in Lombard at the Madison Meadow location and will provide a display of the same caliber as past years.

The proposed Fireworks Production Agreement with Mad Bomber provides for the production and display of a thirty-minute fireworks display on July 4, 2021 at a cost of \$35,000. The attached Resolution authorizes execution of an agreement with Mad Bomber pending development and final approval of a Fireworks Display Agreement between the Village of Lombard and the Lombard Park District.

Please let me know if you have any questions or concerns.

RESOLUTION

R _____ 21

**A RESOLUTION AUTHORIZING SIGNATURE OF THE
VILLAGE PRESIDENT ON A FIREWORKS PRODUCTIONS AGREEMENT**

WHEREAS, the Village of Lombard desires to contract with Mad Bomber Fireworks Productions for a fireworks display to take place on July 4, 2021 in Madison Meadow Park,

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard a Fireworks Production Agreement with Mad Bomber Fireworks Productions as attached hereto pending final approval the Fireworks Production Agreement with the vendor and a Fireworks Display Agreement between the Village of Lombard and the Lombard Park District.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Adopted this _____ day of _____, 2021.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2021.

Keith Giagnorio, Village President

ATTEST:

Liz Brezinski, Village Clerk



MEMORANDUM

TO: Scott Niehaus, Village Manager

FROM: Nicole Aranas, Assistant Village Manager *NA*

DATE: May 18, 2021

SUBJECT: **APPROVAL OF A FIREWORKS PRODUCTION AGREEMENT
MAD BOMBER FIREWORKS PRODUCTIONS – 4TH OF JULY FIREWORKS DISPLAY
REVISED AGENDA UPDATE – SUPPLEMENT**

Attached please find additional information related to the approval of a Fireworks Production Agreement with Mad Bomber Fireworks Productions for the production of a fireworks display to take place in celebration of Independence Day on July 4, 2021 in Madison Meadow Park. The original agenda item is being supplemented to include a copy of the 2019 Fireworks Production Agreement which will be extended for 2021 with identical terms, conditions and costs.

Please let me know if you have any questions or concerns.

**MAD BOMBER
FIREWORKS PRODUCTIONS
AGREEMENT**

This contract entered into this 20TH day of MARCH, 2019 by and between Mad Bomber Fireworks Productions of Kingsbury, Indiana hereinafter to as Seller, and

VILLAGE OF LOMBARD 255 E. WILSON STREET LOMBARD, IL 60148

Herein after referred to as Buyer, of VILLAGE OF LOMBARD State ILLINOIS

Witness: Seller agrees to provide and Buyer agrees to purchase certain Fireworks Display in accordance with the Program. Buyer will pay Seller a sum of \$35,000.00 for said Display. Upon acceptance of this agreement Buyer will pay Seller a sum of (WAIVED) as an Earnest Money Deposit with the Balance due and payable within 30 days after the display date agreed upon. A late charge of 1½% per month will be assessed on accounts not paid within thirty days of display date.

Both Seller and Buyer mutually agree to the following terms, conditions, and stipulations:

1. Seller will present said Fireworks Display on the evening of the FOURTH day of JULY, 2019, it being understood that should there be inclement weather the day of the display the Seller has sole discretion to cancel display. An alternate display date will be given within six months of the original Display Date agreeable to both the Seller and Buyer.
2. The Fee for cancellation for any reason of the Fireworks Display is 40% of the agreement price if Buyer chooses to not select another Display Date within six months of the original Display Date.
3. Buyer will provide a sufficient area for the Display, including a minimum spectator set back of 420' feet at all points from the discharge area. Buyer will provide protection of the display by roping-off or other suitable means. Buyer will provide adequate police protection to prevent spectators from entering display area. Buyer agrees to search the fallout area at first light following a night display.
4. Seller reserves the right to terminate the Display in the event that persons enter the secured Danger Zone and Security is unable to secure the Danger Zone.
5. Seller agrees to provide Qualified Technicians to take charge of and present said Display.
6. Seller agrees to provide Liability Insurance in the amount of \$10,000,000.00 for the benefit of both the Buyer and Seller.
7. Mad Bomber Firework Productions retains the right to substitute product of equal or greater value in the event of shortage or unavailability of any particular item on the proposal.
8. Seller and Buyer agree to include Attachments, if any. See Attachments: No.1 CONTRACT EXTENSION

Both Seller and Buyer hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

MAD BOMBER FIREWORKS PRODUCTIONS

By

Dan P. Miller
Sr. Vice President

Date: 03/20/19

BUYER

By

[Signature]
(is duly authorized agent, who represents that he/she has full authority to bind the Buyer)

Date: April 18, 2019