

INVOICE

PREMIER PYROTHECNICS, INC
901 MAPLE STREET
YANKTON, SD 57078

CITY OF RAPID CITY
10 MAIN STREET
RAPID CITY, 57701

INVOICE # 3115
DATE: 03/02/2004
SALESMAN JK
INSURANCE YES
SHOW DATE 04-Jul

<u>QTY</u>	<u>PRODUCT</u>	<u>UNIT AMOUNT</u>	<u>TOTAL AMOUNT</u>
1-	FIREWORKS DISPLAY		\$14,000.00
1-	SHOOT FEE		\$2,000.00
1-	INSURANCE		\$1,500.00

TOTAL **\$17,500.00**

RAPID CITY CONTRACT FOR SERVICES FIREWORKS DISPLAY 2002

This contract is entered into this 15th day of May, 2002, by and between the City of Rapid City, of 300 Sixth Street, Rapid City, South Dakota, 57701, a municipal corporation organized under the laws of the State of South Dakota, hereinafter City, and Premier Pyrotechnics, of 305 Lewis & Clark Trail, Yankton, SD 57078, hereinafter Vendor.

In consideration for the Vendor providing the professional services and merchandise for the City's 2002/2003/2004 (3 year term) fireworks display, according to the provisions set forth below, it is agreed that the City will pay the Vendor seventeen thousand five hundred dollars (\$17,500) per year for such merchandise and services, providing funds are available. The City and Vendor agree to the following:

SHOW

- The Vendor shall meet the requirements as identified in the National Fire Protection Association (NFPA) Standard #1123, code for the outdoor display of fireworks and other applicable federal, state and local laws.
- The Vendor shall include necessary equipment and materials to electronically fire each of the shells and the necessary labor needed to conduct the show. This proposal will include all shooter's fees and shipping fees.
- Post show cleanup will be completed by the Vendor in accordance with City requirements and shall be inspected by the City the day following the show to insure Vendor's compliance with these requirements.
- The Vendor will secure, prepare, and deliver fireworks as per proposal or make necessary substitutions of equal or greater value.
- The Vendor will provide 15% more product and a price freeze on product at 2002 costs, in compliance with signing 3 year contract.

SHOW DATE

- Rapid City fireworks show is Thursday, July 4, 2002, at 10:00 P.M.
- Rain out date is set for Friday, July 5, 2002 at 10:00 P.M.

QUANTITY/QUALITY OF SHELLS

- Quantity of shells shall be as per the attached proposal - 898 shells in various sizes and configurations.
- Quality - domestic shells and high quality imported shells shall be furnished as listed in the proposal.
- Prior to the show, verification will be made by the City as to the quantity, quality (domestic/import), and size of the shells.
- After the show, verification will be made by the City and Vendor of any shells that failed to fire and the cost of shells that do not fire shall be deducted from the contract price.
- Any misfired shells shall be disposed of in a manner mutually agreed upon by the Vendor and the City in accordance with NFPA 1123, Chapter 4.

PERMITS

- The Vendor shall secure and furnish all permits required to sell, operate, transport, and fire class B explosives.

PAYMENT

- The City shall issue a purchase order upon receipt of an invoice, and payment for the product will be made 60 days prior to the show. The City shall also issue a purchase order upon receipt of an invoice and payment for services rendered will be made within 30 days after the show.

INSURANCE


- During the term of this contract, the Vendor shall maintain its commercial general liability insurance policy in the amount of \$5,000,000, shown on the attached Certificate of Liability Insurance, and shall name the City as an additional insured.

CITY RESPONSIBILITY

- The City will provide a site with sufficient space for the presentation of the display, provide adequate police protection to secure the area, and fire protection during the show.
- The City will make the site available the day of the show for setup and site preparation of the display.
- The City will insure that the number and quantity of shells are in accordance with the accepted proposal.

CITY OF RAPID CITY

Premier Pyrotechnics

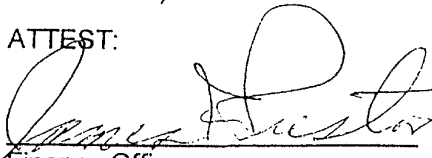
By: 
 Jerry Munson, Mayor

By: _____
 Jeff Koster
 V/P Premier Pyrotechnics

Date: 5/20/02

Date: _____

ATTEST:


 Finance Officer

(SEAL)

Approved By: CITY ATTORNEY'S OFFICE	
Initials: <u>JK</u>	<u>5-9-02</u>
Attorney	Date

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