WEST DEPTFORD TOWNSHIP

RESOLUTION #213

RESOLUTION AUTHORIZING A PERMIT FOR A FIREWORKS DISPLAY AND AUTHORIZING THE ADMINISTRATOR TO EXECUTE A CONTRACT FOR WEST DEPTFORD FAMILY FUN DAY PUBLIC FIREWORKS DISPLAY

WHEREAS, the Township of West Deptford will again sponsor a public display of fireworks to be held at the RiverWinds Community Center in accordance with West Deptford Family Fun Day, on the evening of September 24, 2016, with a rain date of Sunday, September 25, 2016; and

WHEREAS, the Township of West Deptford is desirous of continuing the tradition of the Family Fun Day public fireworks display by sponsoring said event, and has solicited proposals which were opened on August 3, 2016 where one (1) proposal was received; and

WHEREAS, the Township of West Deptford desires to enter into a contract with Schaefer Pyrotechnics for the Family Fun Day fireworks display in the amount not to exceed $5,000.00, with a deposit of $2,500.00 to be paid one (1) week prior to event; and

WHEREAS, such display will be supervised by competent and experienced individuals in compliance with N.J.S.A. 21:3-4 of the State of New Jersey, and will not be a detriment to the community, but to the contrary will offer a substitute for the unlawful use of fireworks on the part of any individuals.

NOW THEREFORE, BE IT RESOLVED by the West Deptford Township Committee as follows:

1. Pursuant to the authority granted under N.J.S.A. 21:3-1, N.J.S.A. 21:3-3 and N.J.S.A. 21:3-4 of the State of New Jersey, the Fire Official of West Deptford Township be and is hereby authorized to make, execute and deliver a good and sufficient license of permit to Schaefer Pyrotechnics, authorizing the public display of fireworks during the evening of Saturday September 24, 2016 at approximately 7:00 p.m., eastern daylight time, under the supervision of Schaefer Pyrotechnics, a fully qualified pyrotechnical firm, the company named in the application heretofore submitted to the Purchasing Agent. Said license shall be without force and effect until such time as the fireworks display company, Schaefer Pyrotechnics shall file with the Purchasing Agent insurance coverage naming the Township of West Deptford as an additional insured which is satisfactory to the Solicitor, which would indemnify any person who may receive or sustain injury to his or her person or property by reason of any discharge of the fireworks in question and a Hold Harmless Agreement to the benefit of the Township of West Deptford, in a form satisfactory to the Solicitor. All operations incidental to such display shall be subject to the approval of the Chief of Police, Samuel DiSimone and John Austin, Fire Official of the Township of West Deptford as required by law; and

2. If the rain date that is established is beyond the ninety-six (96) hour limit, the fireworks will be removed from the storage area in the Township and returned to the site twenty-four (24) hours prior to a new date of fireworks display.
3. The Administrator is hereby authorized to execute the attached contract for the fireworks display between the Township of West Deptford and the fireworks provider.

ADOPTED at the regular meeting of the Mayor and Township Committee of the Township of West Deptford, County of Gloucester, and State of New Jersey August 17, 2016.

TOWNSHIP OF WEST DEPTFORD

By: Denice DiCarlo
DENICE DICARLO, MAYOR

ATTEST:

Lee Ann DeHart
LEE ANN DEHART, Acting Municipal Clerk

CERTIFICATION

I, Lee Ann DeHart, Acting Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on August 17, 2016.

Lee Ann DeHart
LEE ANN DEHART, Acting Municipal Clerk

MAYOR
Denice DiCarlo

TOWNSHIP COMMITTEE
Jeff Hansen
Jerry Maher
James Mehaffey
Adam Reid

WEST DEPTFORD TOWNSHIP
Municipal Building
400 Crown Point Road
West Deptford, New Jersey 08086
Phone (856) 845-4004

Township Administrator
Deborah Turner-Fox

Chief Finance Officer
Christine Greenwood

Acting Municipal Clerk
Lee Ann DeHart

To: Lee Ann DeHart, Acting Municipal Clerk

Cc: John Austin, fire Marshall

From: Barbara Lamplugh, Purchasing Agent

Date: August 3, 2016

Re: Fireworks Display

Attached you will see the proposal from Schaefer Pyrotechnics, Inc. They were the only vendor who submitted a proposal for the fireworks display on Fun Day. Four vendors were contacted and one returned a letter saying they would not be submitting a proposal and the other two never responded at all.

MAYOR
Denice DiCarlo

TOWNSHIP COMMITTEE
Jeff Hansen
Jerry Maher
James Mehaffey
Adam Reid

WEST DEPTFORD TOWNSHIP
Municipal Building
400 Crown Point Road
West Deptford, New Jersey 08086
Phone (856) 845-4004

Township Administrator
Deborah Turner-Fox

Chief Finance Officer
Christine Greenwood

Acting Municipal Clerk
Lee Ann DeHart

July 19, 2016

To Whom It May Concern:

The Township of West Deptford is requesting proposals for a fireworks display for our annual West Deptford Fun Day at the RiverWinds Community Center 1000 RiverWinds Drive West Deptford. The Event is currently scheduled for Saturday, September 24, 2016 (rain date Sunday, September 25, 2016). The Fireworks display will commence at the direction of the West Deptford Township Events Manager Aimee Maska Boucher who will be on site all day to coordinate activities. We anticipate the display to be shown on or about 7:00 p.m. depending on local weather conditions and other scheduling considerations.

These Supplemental terms and conditions are herein made a part of the contract between the selected fireworks display vendor and the Township of West Deptford. This contract will not become effective until the Township of West Deptford has received written approval from the Townships Risk Management Consultant for this event.

The fireworks display vendor will be required to provide the following information:

1. Certificate of insurance to include the following:
   - General Liability limits of $1,000,000 per occurrence combined single limit for bodily injury and property damage with at least $2,000,000 general aggregate. Contractual liability must be included
   - Automobile liability limits of $1,000,000 per occurrence combined single limit for bodily injury and property damage with no aggregate.
   - Workers Compensation at Statutory limits including Employers Liability at minimum limits of $500,000.
   - Umbrella liability limits of $1,000,000 to $2,000,000 are also preferred.
   - The Township of West Deptford and any associations, recreations or committees formed by the Township of West Deptford to organize the "event" must be named as additional insureds on all liability policies.
   - Rain date should also be shown in the description section of the certificate of insurance.

2. An executed hold harmless agreement in favor of the Township of West Deptford, a copy of which is attached here to.

In addition to providing a fireworks display in accordance with the request for proposal dated July 19, 2016, the said fireworks display vendor shall be required to meet the following terms and conditions:

- Insure that adequate personnel from the company are on site and present at the RiverWinds Community Center in the immediate vicinity of the fireworks display all times to safeguard the public and protect fireworks from theft or vandalism.

- Insure that adequate personnel from the company perform a thorough search of the entire park area on the evening immediately after the conclusion of the display to include the inspection, clean up and disposal of any unexploded aerial shells or live components, as required under NFPA 1123, 1995 edition, Section 4-1.12.

Quote Submittal:

Submit your quote by filling in the enclosed quote form for receipt by the West Deptford Purchasing Agent no later than 10:00 a.m. on Wednesday August 3, 2016.

Purchasing Department
West Deptford Township
400 Crown Point Road
West Deptford, NJ 08086-0089

Payment:

You will receive 50% of payment upon signing of contract, the remainder at the conclusion of the program.

Proposal:

A $5,000.00 display, which includes a minimum of 200 four inch and five inch shells. It is imperative that the final 30 seconds of the finale be **green and white exclusively.**

All equipment must be set up and ready to ignite by 7:00 p.m. the day of the show.
Fireworks Display Saturday, September 24, 2016 (rain date September 25, 2016)

Proposal for West Deptford Township Fireworks Display - $5,000.00

Opening:

Shell size	Amount of shells
5"	15
4"	24
3"	80
	850 Shots Cake

Total Opening Shells 969

Approximate duration of opening 1.5 minutes

Body:

Shell size	Amount of shells
5"	331
4"	141
3"	220

Total Body Shells		692
Approximate duration of body		20 minutes

Finale:	Shell size	Amount of shells
Final 30 seconds-	5"	55
green & white.only	4"	42
	3"	500
		2000 Shots Cake
		5720 Shots Cake
		3000 Shots Cake

Total Finale Shells	597 shells 10,720 shots cake
Approximate duration of finale	3 minutes

Grand Total:

Shell size	Amount of shells
5"	401
4"	207
3"	800

Total number of shells 1,408 shells
11,570 shots cake

Total duration of display roughly 25 minutes

Proposal for Fireworks Display: $5,000

Company: Schaefer Pyrotechnics Inc./Schaefer Fireworks

Address: 370 Hartman Bridge Road

Ronks, PA 17572

Phone Number: (717)687-0647

TOTAL BID PRICE: $5,000

Authorized Signature

July 20, 2016
Date

FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT

Between the Township of West Deptford and Schaefer Pyrotechnics Inc./ Schaefer Fireworks (Contractor).

WITNESSETH:

1. Schaefer Fireworks (Contractor) agrees to release, indemnify and hold harmless the Township of West Deptford from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: $500,000/$500,000
General Liability: $5,000,000
Automobile Liability: $5,000,000
Umbrella Liability: $5,000,000

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: Fireworks Display Date: 9/24/16 Rain Date: 9/25/16

Dated: 7/20/16 Signed: _____
Authorized Signature of the Contractor

Witness: [signature]

Certificate of Insurance

10672 **Issue Date:** 7/20/2016

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
Professional Program Insurance Brokerage 371 Bel Marin Keys Blvd., Suite #220 Novato, California 94949	
	INSURERS AFFORDING COVERAGE
INSURED	INSURER A: Underwriter's at Lloyd's, London
Schaefer Pyrotechnics, Inc. and Schaefer Fireworks, Inc. 376 Hartman Bridge Road Ronks, PA 17572	INSURER B:
	INSURER C:
	INSURER D:

COVERAGES:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (DD/MM/YY)	POLICY EXPIRATION DATE (DD/MM/YY)	LIMITS	
A	GENERAL LIABILITY CLAIMS MADE	PY/16-0028	3/25/2016	3/25/2017	EACH ACCIDENT	$5,000,000
					MEDICAL EXP (any one person)	
					FIRE LEGAL LIABILITY	$50,000
					GENERAL AGGREGATE	$5,000,000
					PRODUCTS-COMP/ OPS AGG	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
Certificate holder is additional insured as respects the following:

Date(s) of Display:	9/24/2016
Location:	RiverWinds Community Center 1000 RiverWinds Drive West Deptford, NJ 08086
Additional Insured:	West Deptford Township; RiverWinds Community Center
Rain Date(s):	9/25/2016
Type of Display:	Aerial Fireworks Display

The insurer which has issued this insurance is not licensed by the Pennsylvania Insurance Department and is subject to limited regulation. This insurance is NOT covered by the Pennsylvania Property and Casualty Insurance Guarantee Association. Placed by: Susan B. Preston, Professional Program Insurance Brokerage, 371 Bel Marin Keys Blvd. #220, Novato, CA 94949.

CERTIFICATE HOLDER

West Deptford Township
PO Box 85
Thorofare, NJ 08086

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXIPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER,ITS AGENTS OR REPRESENTATIVES.

Susan Preston

AUTHORIZED REPRESENTATIVE

Schaefer Fireworks
370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

August 3, 2016

Amy Leso
West Deptford Township
P.O. Box 89
400 Crown Point Rd
Thorofare, NJ 08086-0089

Dear Ms. Leso:

As per your request, enclosed is a copy of our proposal for $5,000.00 for your fireworks display. It will be the same show for the same price as last year on September 24, 2016. We do really appreciate your loyalty and look forward to providing your community with another spectacular show.

Your display will include the following:

Liability Insurance in the amount of **Five Million Dollars**
Transportation Insurance in the amount of Five Million Dollars
Worker's Compensation Insurance
On time delivery
Trained and certified pyrotechnicians
State of the art equipment to safely fire your display
The best variety of display fireworks that money can buy
AND
Our Personal attention and touch in forming your proposal and formulating your display

Thank you for allowing us to submit a proposal for your event. We hope to make your fireworks, most memorable. If you have any questions, please feel free to call me.

Sincerely,

Kimmel Schaefer Jr
President

Schaefer Fireworks
370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY
SYNOPSIS PAGE

OPENING BARRAGE

119 -Variegated shells ranging in size from 3 to 5 inches in diameter
850 – Gold and silver flitter comets with titanium salutes (Schaefer exclusive effect)

MAIN BODY

The main body of your display will consist of 692 shells of the following sizes. Please note the shell varieties will be listed on the following pages.

220 – 3 Inch shells (9 inch circumference)

141 – 4 Inch shells (12 inch circumference)

331 – 5 Inch shells (15 inch circumference)

GRANDE FINALE

597 – Assorted color, crackling, mine, palms, strobes, tiger tails and salute shells ranging in size from 3 – 5 inches in diameter.

2,000 – Silver rising quick whistles

5,720 – Rising silver tourbillions with titanium salutes

3,000 – Brocading comets

Schaefer Fireworks

370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY

The following show has been put together based on your budget needs and filled with the highest quality and best variety of fireworks that money can buy

OPENING BARRAGE

Will be made up of chained shells that consist of the following effects: red, white and blue chrysanthemum, assorted crackling shells, silver palms, gold strobes, multi-color chrysanthemums and peonies, titanium salutes and super fancy tiger tail shells with glittering effects and salutes.

80 ___3 Inch
24____4 Inch
15____5 Inch

Your opening will end with one of our many exclusive mid-level effects that we have hand picked for you and is based on your firing site to give your audience maximum enjoyment.

850 – Gold and silver flitter comets with titanium salutes (Schaefer exclusive effect)

Schaefer Fireworks
370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY

The main body of your display will consist of many varieties. To increase the amount of fire in the sky and thus make your show more spectacular, we have developed specialty flights of shells that will be intermixed into your display. Following are some of the varieties of shells that your display will consist of.

220_____ 3 Inch Diameter (9 inch circumference)

150____These will be in the form of singles : Titanium salutes, gold brocade, green to gold, red wave, silver flashing ring, silver dahlia, red to blue peony, yellow to blue peony, green crackling, color diadem, gold circles with wave, green and silver glittering, coconut tree, fish and whistle, whistle and stars, battle in the clouds, silver strobing, blue peony with coconut pistils, glittering green, gold chrysanthemum, gold wave to purple, red crackling chrysanthemum, silver spider , silver palm tree, Peanut shells with the following varieties: Red and silver glittering with salute, green and purple with salute, yellow chrysanthemum with red pistil with salute, blue and white peony with salute, gold crackling with salute and strobing chrysanthemum with salute.

70____These are specialty flights of shells that will be fired in groups of two, three and five: Blue chrysanthemum with green pistil, glittering silver, green ring with purple heart, yellow peony with green heart, purple peony with silver heart, glittering red to green, red gamboge crown, gold glittering, charcoal peony, red chrysanthemum with blue pistil, gold to crackling chrysanthemum and silver diadem, green comet with report, purple comet with report, crackling comet with report, green peony with glittering comet

Schaefer Fireworks

370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY

141_____ 4 Inch Diameter (12 inch circumference)

111____These will be in the form of singles: willow to silver glittering, gold peony with blue pistil, red gamboge to red to silver with blue pistil, red gamboge to blue to silver with red pistil, red gamboge to red to blue with green pistil, yellow chrysanthemum, purple ring, green chrysanthemum, silver crown chrysanthemum, red crown chrysanthemum, gold willow to flashing, gold kamuru with silver flashing, brocade diadem with palm core, glitter coconut, red, white and blue cross ring, purple shuttle, green to blue to silver, blue chrysanthemum with coconut pistils, green to crackling, gold wave to blue to red, red to white to blue, yellow peony with pistils, fish and whistle, serpents and stars, battle and clouds, crackling palm tree, Peanut shells with the following varieties: red to green to silver with salute, blue peony with coconut pistils with salute, gold wave to red to blue with silver pistils with salute, red gamboge to purple with salute, variegated strobe shell with salute and new multi-break pillar shells

30___These are specialty shells that are flighted in groups of two, three and or six and fired to create more fire in the sky: red gamboge to golden, green crown chrysanthemum, purple chrysanthemum with red pistil, yellow to crackling, white chrysanthemum with glittering, red chrysanthemum, glittering blue to yellow, half silver half red, two layer ring, red coconut tree, brocade to purple, bees, red comet with report, silver flashing with crackling comet, gold glittering peony with glittering comet, silver peony with blue comet, crackling peony with silver comet

Schaefer Fireworks
370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY

331_____ 5 Inch Diameter (15 inch circumference)

221___These will be in the form of singles: blue to gold to purple, blue to red to yellow, red ring brocade crown, glittering chrysanthemum and white peony with green heart, red gamboge to green, blue chrysanthemum shell of shells, blue brocade crown, gold chrysanthemum shell of shells, brocade purple, yellow willow, red fish, purple flashing, blue to crackling, golden wave to red to blue, silver crossette to strobe, green falling leaves, gold shuttle, gold spangle with strobing pistil, crackling silver spider, purple chrysanthemum with coconut pistil, coconut tree shell of shells, green to blue to silver, red crossette, half red half blue, willow to strobe, red tracer, yellow bees, silver palm, diadem with coconut tree core, and new multi-break pillar shells with salute mines

110____These will be shot as flights of two to give a great effect: green peony with glittering comet, purple peony with glittering comet, green chrysanthemum with red comet, red comet with report, blue comet with report, purple comet with report, white comet with report, glittering comet with report, purple chrysanthemum shell of shells, white shuttle, crackling crossette, three color changing ring, gold spangle chrysanthemum, red and yellow flashing, diadem with report, yellow chrysanthemum with blue heart, silver twinkling chrysanthemum, red and purple two color peony, green and blue with whistles, crackling palm tree, blue dahlia, green butterfly

Schaefer Fireworks
370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

WEST DEPTFORD TOWNSHIP
CUSTOM DESIGNED DISPLAY

GRANDE FINALE:

Your ending will be most spectacular. This year we have special shells that will be chained just for us. If there is one thing that I have found over the years, it is that most, if not all spectators remember the end of your show best. So this year, we have developed special segments for your finale. Some of these segments fit into the "American Tradition theme" of red, white and blue. We have special effect segments of crackling shells, strobing shells, palm tree shells and our new brocade (waterfall) shells. We then go into the super-fancy tiger tail shells which frankly are just tremendous. Your display comes to a conclusion with the loudest salutes that we could find. Based on your show size and site that we fire this from, we will then "layer" your display with the larger size shells of similar effects so that you truly have the traditional Schaefer "wall of fire" effect that will make this a

MOST SPECTACULAR CONCLUSION

100 – 3 Inch red, white and blue shells with silver tails
80 – 3 Inch brocade shells
50 – 3 Inch crackling shells
50 – 3 Inch silver strobe shells
40 – 3 Inch silver palm tree shells
100 – 3 Inch assorted color shells
80 – 3 Inch titanium salute shells
42 – 4 Inch assorted color shells
55 – 5 Inch brocade shells

2,000 – Silver rising quick whistles

5,720 – Rising silver tourbillions with titanium salutes

3,000 – Brocading Comets

Schaefer Fireworks

370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

CONTRACT

We, the undersigned, being interested in a Fireworks Display for West Deptford Township, agree to pay a price of $5,000.00 for the display agreed upon, which will be furnished by Schaefer Fireworks, Inc., (hereinafter "Schaefer") on September 24, 2016 with a rain date of September 25, 2016.

The undersigned, (hereinafter "sponsor"), intending to be legally bound, agree as follows:

1. To make a deposit Payment of 50% of the Contract Price payable immediately upon execution of this Contract; if for any reason such Deposit is not made, Schaefer reserves the right to cancel the display at any time up to and including the day of the event and in such event, Sponsor waives any and all claims against Schaefer.

2. Under certain circumstances Schaefer may, at its sole election, waive the deposit requirement in part or in full, and may accept a purchase order or other form of confirmation from Sponsor. Upon receipt of any such purchase order the parties agree that Schaefer may rely upon the contract for the display, including purchase materials, insurance and reserving equipment and labor. In the event that Sponsor terminates the show for any reason, Schaefer shall be entitled to payment of 50% of the display price as liquidated damages, plus all costs of suit and attorney fees for collection.

3. To make balance of payment immediately after the display. The check should be given to the driver after the display or mailed the next business day. There will be a service charge of 1.5% per month on all invoices that are over 30 days old. If the full amount, or any part thereof, is not paid when due, the undersigned agrees to pay all legal costs in the collection of the unpaid balance including filing fees and attorney fees. Sponsor agrees that jurisdiction and venue for any such action shall be in Lancaster County, Pennsylvania. If there are any disputes or concerns about the provided display, they must be raised in writing within 5 working days, or Sponsor agrees that they will be waived. Sponsor also agrees to either pay sales tax on contract amount if company or individual is from Pennsylvania or provide Schaefer with a sales tax exemption certificate.

4. Sponsor agrees to furnish an appropriate firing site that will be inspected by a Schaefer representative before your display. If the sponsor does not allow any digging of mortars in the ground, or if digging is not possible, ie. firing site is a barge or parking lot, then sand and barrels must be provided by the sponsor. The amount of sand and barrels will be agreed upon at least 30 days prior to the display.

5. All displays must conform to the NFPA standard which calls for 70 foot per inch of diameter clearance from the firing site in all directions, to any parking car, inhabited building, public road or active railroad. Schaefer is not responsible or will not pay for any damage or personal injuries that occur from non-compliance of this code and its safety distances which shall remain the sole responsibility of the sponsor.

6. Sponsor agrees to furnish 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 Schaefer, advises that this is no longer necessary. If Schaefer has to procure additional security, the sponsor agrees to reimburse the cost to Schaefer. Schaefer shall have control of the firing area during the display (although security shall continue to be the Sponsor's responsibility); thereafter Sponsor shall be responsible for the policing of the firing area and will be responsible for the site cleanup.

7. Schaefer, reserves the right to terminate 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.

8. Sponsor will make application and obtain all applicable permits whether local or state and will provide full fire protection for the display as per advice of local fire or police officials.

Schaefer Fireworks

370 Hartman Bridge Rd. • Ronks, PA 17572
(717) 687-0647 • (717) 687-8982 Fax
(877) 598-BANG Toll Free
www.schaeferfireworks.com

"Spectacular Fireworks Displays"

9. Cancellation of the display, for any reason whatsoever, including weather, drought conditions and or failure to sell the event, shall entitle Schaefer to compensation equal to 50% of the contract price due immediately after cancellation. If said cancellation is not paid within 10 days, service charges of 1.5% per month shall accrue, and Sponsor shall be responsible for all costs of collection including filing costs and legal fees.

10. Schaefer agrees to carry a certificate of insurance for $5,000,000.

11. Schaefer agrees to provide one or more trained pyrotechnicians to set up and fire the fireworks display. Schaefer shall provide the equipment and personnel to shoot the proposed display.

12. Schaefer reserves the right to make substitutions of equal or greater value for shells, cakes and candles in the best interest of the fireworks display. Schaefer shall not be responsible for events beyond the control of the shooter, including weather. If fireworks are damaged or destroyed by rain or other cause beyond Schaefer's control, the risk of loss shall remain with Sponsor.

13. Postponement Policy is as Follows: Postponement time is 9:00 a.m., day of display, If postponement occurs after that time, there will be a 10% charge of the contract price. If the display is postponed for any reason including rain, drought, natural disaster, wind conditions or strike, the display will be rescheduled for the next clear evening unless a different day is mutually agreed upon with the office of Schaefer and the undersigned. (_9/25/16__). If the display is not rescheduled within ten (10) days (and to occur within sixty (60) days), it shall be treated as canceled, and Section 9 hereof shall apply. If the display is set up, in whole or part, and Sponsor requests postponement, Sponsor shall provide 24 hour security over such display until the show can be shot.

14. This show was proposed based on fuel prices on September 21, 2015. If fuel prices are higher at the time of your display, Schaefer reserves the right to add a fuel surcharge to cover any additional costs incurred due to increases in fuel to deliver your display. The fuel surcharge will be based on actual differences in fuel prices but will not exceed $150.00 for your display.

Schaefer Fireworks, Inc., Upon acceptance of this proposal in writing, agrees to fulfill the contract in a workmanlike manner.

Accepted on this day of 9/17/16

On behalf of West Deptford Township _____

On behalf of Schaefer Fireworks, Inc. _____