

RESOLUTION
R 37-22

**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 September 4, 2022 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 21st day of July, 2022.

Ayes: Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

Nayes: None.

Absent: None.

Approved by me this 21st, day of July, 2022.


Keith Giagnorio, Village President

ATTEST:

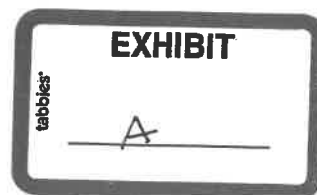

Elizabeth Brezinski, Village Clerk

MAD BOMBER

FIREWORKS PRODUCTIONS

3999 E. HUPP ROAD BLDG. R-3-1 LAPORTE, IN 46350

11N485 HUNTER TRAIL, ELGIN, IL 60124 Ph.(847) 464-1442 Fax 847 464-1388



To: VILLAGE OF LOMBARD Fax #630 620-3085

ATTENTION: NICOLE ARANAS

Re; FIREWORKS DISPLAY - SUN 09/04/22

- (Please Sign & Return Contact Agreement)
- Rescheduled Program submitted \$42,000
- Certificate of Insurance #22-0048
- Largest shell size is 6" Diameter
- 420' Distance N.F.P.A. #1123

WE HAVE A DEDICATED FAX LINE

PLEASE RE-SUBMIT YOUR FAX TO THIS # 847 464-1388

THANK YOU, DAN P. MILLER

E-Mail dan@madbomberfireworks.com

MAD BOMBER

FIREWORKS PRODUCTIONS

3999 E. HUPP ROAD BLDG. R-3-1 LAPORTE, IN 46350
11N485 HUNTER TRAIL * ELGIN, IL 60124 * (847) 464-1442 Fax (847) 464-1388

THIS SPECIALLY PREPARED PROPOSAL
IS FOR THE

VILLAGE OF LOMBARD

Rescheduled INDEPENDENCE DAY Celebration
MADISON MEADOWS PARK, ILLINOIS

Sunday, September 4th, 2022

Only the finest selection of assorted types of display fireworks have been submitted in this proposal, with an EMPHASIS on Multiple Break, and Special Effect Display Barrages. Plus a complete line on oriental & imported pattern products from China, Japan, and Taiwan. Also included are the latest brilliant Colored Effects from the leading manufactures in the United States.

TOTAL PRICE \$42,000.00
INCLUDES THE FOLLOWING:

25 – Minutes of Intense Presentation

Ten Million Dollars Liability Insurance.

Same Local Crew of Experienced, Licensed Pyrotechnic Operators to Deliver, Set-up, and Execute the entire Display Production.

Clean-up of the firing area immediately following the display.

Crew of operators covered under Workman's Compensation.

D.O.T. Certified drivers with Five Million Dollars road liability.

Rain dated at NO extra charge during 2022 year.

Choreographed Display Production.

MAD BOMBER

FIREWORKS PRODUCTIONS

KINGSBURY INDUSTRIAL PARK P.O. BOX 418 Kingsbury, IN 46345

11N485 HUNTER TRAIL * ELGIN, IL 60124 * (847)464-1442

VILLAGE OF LOMBARD FIRE DEPARTMENT LISTING OF SHELLS

At **MADISON MEADOWS PARK**

RESCHEDULED INDEPENDENCE DAY CELEBRATION

Monday, September 4th, 2022 at ____ pm

RAIN DATE: T.B.A.

FIREWORKS 1.3G, UN0335, PGI

\$42,000

\$35,000

192 - 3" Shells	154 x 3"
150 - 4" Shells	120 x 4"
108 - 5" Shells	88 x 5"
36 - 6" Shells	36 x 6"
(900) 75 - 3" Finale Groups (75 x 12)	60 x 3" (780)
(216) 6 - 2.5" Finale Boxes (6 x 36)	3 x 2.5" (108)

ENTIRE PROGRAM IS AN ELECTRONICALLY FIRED DISPLAY

MEETS N.F.P.A. #1123 DISTANCE REQUIREMENT OF 420 FEET

* Multiple Shot Barrage Boxes, Exhibition Candles, Comets, and Floral Mines

OS.F.M. LICENCED PYROTECHNICIANS ASSIGNED:

LEAD Harley DeJong

#IL-06-O-00029-00139

Cell #630 212-1021 On Site*

LEAD Dave Scofield

#IL-06-O-00029-00581

Cell # 630 835-2632 On Site*

Request for (10) PARKING SPACES for Crew Assistants

FIREWORKS PRODUCTIONS

This contract entered into this 14th day of May, 2022 by and between Mad Bomber Fireworks Productions of Kingsbury, Indiana hereinafter to as Seller, and VILLAGE OF LOMBARD 255 E. WILSON STREET LOMBARD, IL

State Illinois 60145

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 \$42,000 for said Display. Upon acceptance of this agreement Buyer will not 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 1 1/2% per month will be assessed on accounts not paid within thirty days of display date. Buyer agrees to pay any and all collection costs, including reasonable attorney's fees and court cost incurred by Seller in the collection or attempted collection of any amount due under this agreement and invoice.

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 4th day of September, 2022, 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. All individual entities listed on the Certificate of Insurance will be deemed and additional insured per this contract.
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: Electronically Fired Display. Display price does not include local fire protection permit fees. RAIN DATE: _____ 2022.
9. This agreement repeals and replaces the Fireworks Production Agreement between the parties, dated March 17, 2022 ("Original Agreement"). Accordingly, all provisions of the Original Agreement are null and void.

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

Sec. Vice President

BUYER

23

(A duly authorized agent, who represents that he/she has full authority to bind the Plaintiff)

Jan.

7 | 21 | 22

1992

cell# 630 212-1021

Harley DeJong
Planet Productions
3999 Hupp Road Bldg. R-3-1
Kingsbury, IN 46345



License #
IL06-O-00029-00139

Illinois Office of the State Fire Marshal
Division of Fire Prevention
THIS IS TO CERTIFY THAT
Harley DeJong
Pyrotechnic Operator License

Has completed all the requirements under the
Pyrotechnic Distributor and Operator Act 225
ILCS 227 and is employed by

Planet Productions

Lawrence T. Matlack
STATE FIRE MARSHAL

cell # 630 835-2632

David Scofield
Planet Productions
3999 Hupp Road Bldg. R-3-1
Kingsbury, IN 46345



License #
IL06-O-00029-00581

Illinois Office of the State Fire Marshal
Division of Fire Prevention
THIS IS TO CERTIFY THAT
David Scofield
Pyrotechnic Operator License

Has completed all the requirements under the
Pyrotechnic Distributor and Operator Act 225
ILCS 227 and is employed by

Planet Productions

Lawrence T. Matlack
STATE FIRE MARSHAL

PERMIT TO PROCESS AND DISPLAY FIREWORKS

County DUPAGE

State IL

2022

TO WHOM IT MAY CONCERN: GREETINGS

Application having been made in accordance with the laws of the State of ILLINOIS

this permit is issued to VILLAGE OF LOMBARD, LOMBARD JAYCEE'S, TASTE OF LOMBARD

Giving them the right to exhibit display fireworks on the FOURTH day of JULY 20

at 9:30 o'clock P.M. at MADISON MEADOWS PARK in said County, LOMBARD, IL

in connection with TASTE OF LOMBARD 4TH JULY celebration.

SHERIFF OR CHIEF OF THE FIRE DEPARTMENT

Med Member Fireworks Productions
KINGSBURY INDUSTRIAL PARK

Signature of officer issuing permit

**TABLE 3.1.3 MINIMUM RADIUS OF DISPLAY SITE
FOR OUTDOOR DISPLAY OF FIREWORKS.**

SHELL SIZE

3 INCH (76 mm)	210 ft. (43 m)
4 INCH (102 mm)	280 ft. (85 m)
5 INCH (127 mm)	340 ft. (107 m)
6 INCH (152 mm)	420 ft. (128 m)
7 INCH (178 mm)	480 ft. (146 m)
8 INCH (203 mm)	560 ft. (170 m)
10 INCH (254 mm)	700 ft. (214 m)
12 INCH (305 mm)	840 ft. (256 m)
OVER 12 INCH	

APPROVAL OF AUTHORITY
HAVING JURISDICTION.

3-1.2.1 DISTANCE FROM HEALTH CARE AND PENAL FACILITIES SHALL BE AT LEAST
(SEE THE DISTANCE SPECIFIED IN 3-1.3)

NOTE: SEE NFPA 101, LIFE SAFETY CODE, FOR DEFINITIONS OF HEALTH CARE AND PENAL FACILITIES.

EXCEPTION: WITH THE APPROVAL OF THE HEALTH CARE OR PENAL FACILITY, THIS REQUIREMENT
SHALL BE WAIVED.

3-1.3.2 DISTANCES FROM BULK STORAGE AREAS OF MATERIALS THAT HAVE A FLAMMABILITY,
EXPLOSIVE OR TOXIC HAZARD SHALL BE TWICE THAT REQUIRED BY TABLE 3-1.3.

NOTE: TO DETERMINE WHETHER MATERIALS ARE CONSIDERED TO POSSESS THESE HAZARDS, SEE
NFPA 326M, FIRE HAZARD PROPERTIES OF FLAMMABLE LIQUIDS, GASES, AND VOLATILE
SOLIDS, AND NFPA 49, HAZARDOUS CHEMICALS DATA.

3-2 DISCHARGE SITE

3-2.1 THE AREA SELECTED FOR THE DISCHARGE OF AERIAL SHELLS SHALL BE LOCATED SO THAT
THE TRAJECTORY OF THE SHELLS SHALL NOT COME WITHIN 25 ft. (7.7 m) OF ANY OVERHEAD
OBJECT.

3-2.2 GROUND DISPLAY PIECES SHALL BE LOCATED AT A MINIMUM DISTANCE OF 75 ft. (23 m) FROM
SPECTATOR VIEWING AREAS AND PARKING AREAS.

EXCEPTION: FOR GROUND PIECES WITH GREATER HAZARD POTENTIAL (SUCH AS LARGE WHEELS
WITH POWERFUL DRIVERS, ROMAN CANDLE BATS, ETC., AND ITEMS EMPLOYING LARGE SALUTES)
THE MINIMUM SEPARATION DISTANCES SHALL BE INCREASED TO 125 ft. (38.1 m).

3-2.3 WHEN THE MORTARS ARE POSITIONED VERTICALLY, THE MORTARS SHALL BE PLACED AT
THE APPROXIMATE CENTER OF THE DISPLAY SITE.