

**CITY OF MARATHON, FLORIDA
RESOLUTION 2011-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING CERTAIN PURCHASES IN EXCESS OF \$10,000 AND LESS THAN \$25,000; WAIVING THE CITY'S PURCHASING POLICIES AND PROCEDURES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Marathon, Florida (the "City"), adopted Purchasing Policies and Procedures after determining that it was fiscally prudent and in the best interests of the City's residents for the City to adopt policies and procedures for City employees and officials regarding the purchasing and acquisition of contractual services, equipment, goods, professional services and other similar types of services; and

WHEREAS, pursuant to Resolution 2007-156, the City Council amended the Purchasing Policies and Procedures to provide that any purchases over \$10,000 and less than \$25,000 must be placed on a City Council agenda as a consent item for approval prior to execution of the contract or consummation of the purchase; and

WHEREAS, the City Manager recommends the City Council waive the City's purchasing policies and procedures due to the sole source status of the first two vendors listed in Exhibit "A;" and

WHEREAS, the City Manager has authorized staff to prepare purchase orders for those items set forth on Exhibit "A," attached hereto and now wishes to bring them before City Council as a consent item.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Based upon the recommendation of the City Manager the City Council finds that the University of Northern Iowa "Camp Adventure™" Program and Fireworks Displays Unlimited, LLC are sole source vendors for two of the purchases approved herein.

Section 3. The City's purchasing policies and procedures are hereby waived and the City Council hereby approves the purchases set forth in Exhibit "A" attached hereto and incorporated herein.

Section 4. The City Manager or designee is authorized to execute any agreements in connection with this purchase.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 26th DAY OF APRIL, 2011.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

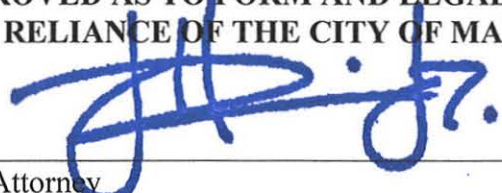
ATTEST:



Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney

Exhibit "A"

Item 1	University of Northern Iowa	\$24,500
Item 2	Fireworks Display Unlimited LLC	\$18,000
Item 3	Gold Coast Turf, Inc.	\$24,750
Item 4	Fountain Engineering	\$22,678.64

FIREWORKS DISPLAYS UNLIMITED, LLC

**SPECTACULAR CUSTOM FIREWORKS DISPLAYS AND SPECIAL FX
FOR ANY OCCASION
*STRICTLY ELECTRONICALLY FIRED DISPLAYS***

PROPOSAL FOR FIREWORKS DISPLAY

Sponsors : **City of Marathon**
Contact : Randy Mearns
Date of Display : July 4th, 2011
Location : Sombrero Beach
Time : 9:00 pm
Duration : Approximately 40 minutes
Show Price : \$18,000.00
Remarks : **Includes labor, transport, insurance, pyrotechnician with crew, and equipment rental.**

We the undersigned, being interested in a fireworks display for City of Marathon, agree to pay a price of **\$18,000.00** for the display agreed upon, which will be furnished by Fireworks Displays Unlimited, LLC.

The undersigned, intending to be legally bound, agree as follows:

1. Sponsor to make payment in full of the contract price at time of display or no later than 10 days post event.
2. SPONSOR'S AGENT: Randy Mearns shall be designated as sponsor's agent to whom all questions and inquiries shall relay all questions and inquiries. Sponsor's agent shall be the only agent of sponsor authorized to request rescheduling of the delivery and exhibition of the fireworks on the part of sponsor.
3. If event is on land, sponsor 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 Fireworks Displays Unlimited, LLC. advises that it is no longer necessary. A fireworks display may produce debris as displays take place in the dark; Fireworks Displays Unlimited, LLC cannot be responsible for clean-up of land based shows other than company equipment, supplies and packing materials.
4. If event is over water, Fireworks Displays Unlimited will be responsible for marine permit and control of safety zone.

5. Fireworks Displays Unlimited, LLC 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.
6. Fireworks Displays Unlimited, LLC. will furnish all applicable licenses, permits and \$1,000,000 liability insurance and pyrotechnicians for your electronically fired display.
7. Hold harmless Fireworks Displays Unlimited, LLC from any claims that do not directly or indirectly relate to damages produced by its staff, equipment or pyrotechnic material subject to the statutory limits pursuant to section 768.28, Florida Statutes.
8. CREDITS: As a material inducement to Fireworks Displays agreeing to enter into this agreement, Sponsor shall give Fireworks Displays program credit as sole fireworks supplier and producer in all press releases, advertising and any other program announcements, printed or otherwise.
9. If show is cancelled, sponsor is responsible for any permit, fire watch or barge/tug fees, if applicable. Additionally, sponsor will be responsible for load in/ load out expenses not to exceed 50% of budget.
10. If wind exceeds 20 miles per hour, fireworks display will be postponed to an agreed date between sponsor and Fireworks Displays Unlimited, LLC.
11. Rain date policy is as follows: Postponement time is 11:30am day of display.
12. If the delivery and/or exhibition of the fireworks is postponed by reason of inclement weather, it shall be re-scheduled to the Inclement Weather Date set forth above.
13. **IMPORTANT NOTE:** Items listed in this proposal assume a firing area that conforms to NFPA Code 1123-1995, which states that there must be at least 70 feet per inch of shell diameter between firing site and any spectators, cars or buildings. This program requires a safety zone that has a radius of 420 feet because of the inclusion of 6-inch shells. Adjustments will be made to the content of this program if necessary to conform to NFPA 1123-1995.

Firepower Displays Unlimited, Inc., upon acceptance of this contract in writing, agrees to fulfill the contract in a workmanlike and professional manner.

Accepted this day of May 12, 2011

On behalf of City of Marathon, _____

On behalf of Fireworks Displays Unlimited, LLC.
Gary Avins, President



OPENING BARRAGE

60 - THREE INCH SHELLS - **TITANIUM SALUTES** – these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern.

18 - FOUR-INCH SHELLS - **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **WHISTLES** – a break of color followed by whistles.

8 - FIVE-INCH SHELLS - **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern.

9 - SIX-INCH SHELLS - **FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern.

BODY OF SHOW

270 - THREE INCH SHELLS - **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold, silver or assorted colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with different forms with trunk-like rising effect, **ASSORTED TWO COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two distinct color changes that resemble a round and weeping flower pattern, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **ASSORTED COMETS**, bright luminous thick tail with comet-like appearance with various colors, **ASSORTED TIGERTAILS**, similar to comets, **ASSORTED MINES**, projects various types of effect and colored stars that are launched and ignited at a low altitude.

180 - FOUR INCH SHELLS - **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **WHISTLES** – a break of color, followed by whistles, **SCREAMING DRAGONS** – a break of bright magnesium colors followed by loud screaming whistle, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** - exploding comets crackling into criss-crossing effects, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **WILLOWS** – golden, silver or assorted colors of very fine lines with an umbrella like effect cascading slowly, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with trunk-like different forms, **ASSORTED TWO and THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two or three distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful reports into the display, **ASSORTED COMETS**, bright luminous thick tail with comet-like appearance with various colors, **ASSORTED TIGERTAILS**, similar to comets, **ASSORTED MINES**, projects various types of effect and colored stars that are launched and ignited at a low altitude.

88 - FIVE INCH SHELLS - **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** – exploding comets crackling into criss-crossing effects, **WILLOWS** - golden, silver or assorted colors of very fine lines with an umbrella like effect cascading, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with different forms with trunk-like rising effect, **GOLD OR SILVER RAIN** – slow cascading gold or silver effect, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending with an umbrella-like canopy cascading and falling low, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful reports into the display, **STAR FISH** – group of large glittering tail comet stars, **CRISS-CROSS OR BEES**, assorted color bees or criss-cross.

117 - SIX INCH SHELLS - **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** – exploding comets crackling into criss-crossing effects, **WILLOWS** - golden, silver or assorted colors of very fine lines with an umbrella like effect cascading slowly, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING PT CRACKLING PALM TREES** – a palm tree image of different forms with trunk-like rising effect, **GOLD OR SILVER RAIN** – slow cascading gold or silver effect, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden effect with an umbrella-like canopy cascading and falling low, **ASSORTED COLOR PARACHUTE** – assorted cascading effect from parachute, **SHELL OF SHELLS OR THOUSAND FLOWER** – multi-color star shell with additional smaller shells dispersed outside resembling blooming flowers, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful titanium reports into the display, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **FANCY PATTERNS** – five pointed star shapes, hearts, smiling face, etc..., **STAR FISH** – group of large glittering tail comet stars. effect with an umbrella-like canopy cascading and falling low, **SHELL OF SHELLS** – multi-color star shell with additional smaller shells dispersed outside.

GRAND FINALE

420 - THREE INCH SHELLS - **TITANIUM SALUTES** – these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly,

72 - FOUR INCH SHELLS - **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low.

24 - FIVE INCH SHELLS - **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **ASSORTED TWO and THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two or three distinct color changes that resemble a round and weeping flower pattern.

18 - SIX INCH SHELLS - **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **ASSORTED TWO and THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two or three distinct color changes that resemble a round and weeping flower pattern.

OVER 1,200 SHOTS – Assorted Finale Barrage, Titanium Reports, Whistles, Assorted Color, Tourbillions.

TOTAL SHELLS

	OPENING	BODY	FINALE	TOTAL SHELLS
3" SHELLS	60	270	420	750
4" SHELLS	18	180	72	270
5" SHELLS	8	88	24	120
6" SHELLS	9	117	18	144
CAKES	2	6	4	12

Letter of Understanding
between
University of Northern Iowa
(hereinafter referred to as "*Camp Adventure*TM *Child & Youth Services*")
and
the City of Marathon, Parks & Recreation Department

Price Quote:	\$24,500.00
Duration of Program:	Ten (10) Weeks (including one week orientation)
Number of Program Directors:	One (1)
Number of Counselors:	Four (4)
Number of Children to be Served:	40-48

Program Certification

I certify that I have read through the "Proposal to Operate Summer Youth Services for the **City of Marathon, Parks & Recreation Department**" and understand and accept all provisions contained within, including:

The **City of Marathon, Parks & Recreation Department's** responsibility to provide housing at no cost to the counselors, access to reasonably priced meals, and will furnish all required supplies and services to support the program locally. I understand that housing provided will be within one mile of the program site (or have daily transportation available).

That the **City of Marathon, Parks & Recreation Department** will pay for any program related expenses to include, but not limited to field trips, snacks, arts & crafts supplies and camper T-shirts. I understand that any extraordinary circumstances (e.g. counselors have to pay to ride public transportation to work) that may affect the program implementation will be cleared and approved in advance with *Camp Adventure* Headquarters.

I understand ratios must be maintained at all times: Preschool (ages 3 to 5 years) & School-Age (ages 6 years to 10 years) a maximum of 12 campers to 1 adult, although a ratio of 10 campers to 1 adult is preferred. If campers are participating in a high-risk activity the **City of Marathon, Parks & Recreation Department** will notify Julianne Gassman so that the camper / adult ratio can be adjusted accordingly.

I understand the number of hours worked per day should be no more than 9 hours (8 hours work, 1 hour lunch) within a 24-hour period, and no more than 45 hours per week. Work may be scheduled Monday through Sunday between 0700 to 1900 (no split shifts), with two consecutive days off. I understand that if additional hours are needed, it must be pre-approved and agreed upon by staff and Susan Edginton.

I understand the **City of Marathon, Parks & Recreation Department** is to provide *Camp Adventure* staff with a one-week orientation before they are assigned to work. Orientation should include 1) program overview, mission, goals and vision; 2) organizational structure and chain of supervision/support; 3) local rules and regulations; 4) partnership with youth program staff, and contact information; 5) introduction and review of program policies, procedures, pertinent regulations and work schedules; 6) emergency procedures, handling accidents and injuries; 7) child abuse/neglect reporting, 8) field trip guidelines; 9) aquatic safety and other local information; 10) program support to families and mission; 11) sexual harassment and substance abuse / alcohol awareness; 12) group management / discipline procedures, 13) children with special needs, 14) recognition of stress in children and coping strategies. A copy of the **City of Marathon, Parks & Recreation Department** orientation schedule will be emailed to Julianne Gassman.

Letter of Understanding (Page 2)

Financial Certification

I certify that I have the authority to commit the **City of Marathon, Parks & Recreation Department** to the above **Price Quote** and agree to pay the amount in full upon receipt of an invoice from the University of Northern Iowa's Office of Sponsored Programs. I understand that the nature of contracting with *Camp Adventure* is such that some are unrecoverable after the initial implementation of the program (airfare, overhead, supplies and services) and agree to pay those costs in full even in the event that the terms of the contract are not fully met (e.g. a counselor has to leave the site before the scheduled departure date). I understand that this budget figure cannot be modified by local *Camp Adventure* staff members and that any request for a modification must be made in writing to the *Camp Adventure* Headquarters.

Camp Adventure™ Certification

Camp Adventure certifies that it has read and understands any and all documentation that has been provided by the **City of Marathon, Parks & Recreation Department**, including but not limited to emails, facsimiles, letters and formal requests for proposals. These documents are identified under the header "Received Documentation."

Camp Adventure certifies that each staff member provided will have completed a forty (40) hour staff development course and has completed the required certifications to work with children (CPR & First Aid), required immunizations (MMR, Tetanus and TB Skin Test) and that all background checks have been initiated for states lived in for the last five (5) years.

Camp Adventure certifies that each counselor will be provided with program materials including staff handbooks, a resource card file, an activity book, summer coursework books and a camp director handbook. The program to be provided has been developed by *Camp Adventure™* for exclusive use in the summer of 2011 by *Camp Adventure* counselors world-wide.

Camp Adventure certifies that it is a not-for-profit organization and that funds not used in a direct cost role are used as indirect costs supporting development, programming, marketing and administrative functions.

Camp Adventure certifies that if a counselor is unable to perform their duties due to an event or circumstance other than an "Unforeseen Act of Nature" (i.e. natural disaster, war, untimely illness or death) *Camp Adventure* will refund a portion of the Basic Costs, at a rate of \$200.00 per week for each week of absence (or prorated per day at \$28.57, if necessary).

**University of Northern Iowa
Camp Adventure™
Child & Youth Services**

**City of Marathon,
Parks & Recreation Department**

Dr. Julianne Gassman Date
Associate Director *Camp Adventure™*

Roger T. Wernstadt, City MGR.
Typed Name of Program Certifier and Title

Susan R. Edginton Date
Program Director *Camp Adventure™*

RJ Wernstadt 5-6-11
Signed Name of Program Certifier Date

Paul Below Date
Grants & Contracts Administrator
University of Northern Iowa

Jennifer Zimmer, Deputy Finance Director
Typed Name of Financial Certifier and Title

Jennifer Zimmer 5/9/11
Signed Name of Financial Certifier Date

Received Documentation