



## Legislation Text

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File #: 18-178, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Suzanne Fisher, C.P.R.P., Director of Parks and Recreation and  
Neal de Jesus, Fire Chief  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** April 17, 2018

RETROACTIVE APPROVAL OF AMENDMENT NO. 1 WITH ZAMBELLI FIREWORKS MANUFACTURING CO. FOR THE PROVISION OF A FIREWORKS DISPLAY IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$38,000 THROUGH JULY 3, 2019

### **Recommended Action:**

Motion to retroactively approve Amendment No. 1 with Zambelli Fireworks Manufacturing Co. for the provision of a fireworks display in a total agreement value not-to-exceed \$38,000 through July 3, 2019.

### **Background:**

On June 7, 2016, the City of Delray Beach (City) Commission approved an agreement with Zambelli Fireworks Manufacturing Co. (Zambelli) pursuant to RFP No. 2016-101 for the provision of a fireworks display (Agreement) for the annual 4<sup>th</sup> of July celebration event hosted by the City and the Delray Beach Marketing Cooperative (DBMC). This agreement was for an initial term of one year and included two, one-year renewal options. Although the original Agreement term expired on July 3, 2017, Zambelli continued to provide a fireworks display for the 2017 4<sup>th</sup> of July celebration event under the Agreement terms and conditions. Zambelli has agreed to renew the Agreement through July 3, 2019 for the provision of a fireworks display for the 2018 4<sup>th</sup> of July celebration event in a total agreement value not-to-exceed \$38,000.

In addition to renewing the Agreement, the attached amendment corrects the commencement date of the Agreement to the correct date of July 4, 2016. Although the agreement will be effective through July 3, 2019, additional services will not be requested from Zambelli unless a greater not-to-exceed agreement value is approved by the City Commission.

Although the annual 4<sup>th</sup> of July celebration event is hosted in part by the DBMC, under the City's agreement with the Delray Beach Community Redevelopment Agency (CRA), Delray Beach Chamber of Commerce, and the DBMC (Partnership Agreement), the City agreed to securing a Contractor for the fireworks display. In the Partnership Agreement, the City also agreed to make a minimum contribution to the DBMC for the fireworks display. Therefore, in accordance with the City's grant to the DBMC, the City will pay the DBMC a total amount of \$38,000 for the 2018 fireworks display.

This motion is in accordance with the City Code of Ordinances, Section 36 and City Policies and Procedures, Change Orders and Amendments.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Funding is available from account number 001-90-810-559.82-11 - Grants Aid to Private Organizations DBMC in the amount of \$38,000.