

5. SECTION B - SCOPE OF SERVICES:

5.1. Background/Intent

- 5.1.1. Montgomery County, Maryland sponsors a number of special events throughout the year. Some of these events cumulate with fireworks displays. Two (2) of these events include the County's Independence Day celebrations, to be held on or about July 4<sup>th</sup> each year.
- 5.1.2. Montgomery County, Maryland is seeking a contractor to provide state of the art, safe, and exciting aerial displays at both events. During each program, the objective shall be to create an innovative, continuous fire, aerial, and low level displays visible to an audience viewing from many vantage points not immediately adjacent to the discharge site. To achieve this objective, the contractors are urged to include many high bursting pieces as possible complimented by low level displays, allowing appropriate layering and balance of the overall program.

5.2. Scope of Services

- 5.2.1. The following general Scope is described for each individual event. The Scope is to be regarded as a guideline; however, innovation and creativity on the part of the contractor contributing to the enhancement of the program are expected.
  - 5.2.1.1. Up-County Fireworks is held at the South Germantown Park in Boyds, Maryland. This recreational park is comprised of 736 acres of rolling terrain surrounded by suburban development. The length of the display shall be twenty (20) minutes of continuous firing, to commence at dusk. The largest aerial shell shall not exceed eight (8) inches in diameter. Cake fireworks are prohibited. Activities may include a pre-fireworks stage performance, presentation of colors, followed by fireworks displayed to music at approximately 9:30pm.
  - 5.2.1.2. Mid-County Fireworks is held at the Einstein High School located in Wheaton, Maryland. This is an urban location near the center of Wheaton. Length of the display shall be twenty (20) minutes of continuous firing to commence at dusk. The largest aerial shell shall not exceed three (3) inches in diameter. A limited number of cake fireworks are allowed. Activities may include a pre-fireworks stage performance, presentation of colors, followed by fireworks displayed to music at approximately 9:30pm.
  - 5.2.1.3. Additional shows may be added and will be of the similar size of the Independence Day celebrations and thus priced the same.
  - 5.2.1.4. Locations may be modified based on availability.
  - 5.2.1.5. These events are subject to the appropriation of funds awarded by the County Executive and County Council and may be cancelled individually or together.

5.3. Contractor's Qualifications

- 5.3.1. The Contractor must have a minimum of five (5) years of experience in providing state of the art, safe and exciting choreographed aerial pyrotechnical fireworks displays; and will verify this providing a list of other entities for which they have provided services equivalent to those outlined in this solicitation.
- 5.3.2. The Contractor must use all pyrotechnical materials that are top grade and have been factory tested by the manufacturer to assure their individual quality, performance, and safety.
- 5.3.3. The Contractor must provide, at the show site, at least one (1) Certified Pyrotechnician and an Assistant Chief Pyrotechnician. The Chief Pyrotechnician in charge of the firing display must be at least twenty-six (26) years of age with a minimum of five (5) years of experience with similar displays. All other assistants must be at least twenty-one (21) years of age.

5.4. Contractor's Responsibilities

- 5.4.1. The Contractor must furnish all labor, materials, equipment, design services, music performance rights, licenses, permits, insurance and other goods and services necessary for providing state of the art, safe and exciting, choreographed aerial pyrotechnical fireworks displays for or both Independence Day celebration events and any other event approved under the resulting contract.

- 5.4.2. The Contractor must furnish, erect, and fire, under County directions, both Independence Day celebration events on or about July 4<sup>th</sup> each year. An alternate weather date will be scheduled each year. Dates and locations will be confirmed no less than three (3) months prior to the events.
- 5.4.3. The Contractor must provide a show that runs no less than (20) minutes in duration. The Contractor must present a spectacular, continuous, electronically (with on gaps in the firing) fired, aerial show, complemented by low level displays. All shells and displays must be electronically fired to a pre-recorded musical score. Music/narration CD or electronic file must be provided by the Contractor and shall be of an upbeat and Americana-theme. The County reserves the right of final approval of the proposed musical selections.
- 5.4.4. If the Contractor requires or desires to use any design, trademark device, material, or process covered by letters of patent or copyright, the Contract must indemnify and hold harmless the County from any and all claims for infringement by reason of the use of any such patented design, device, trademark, copyright material or process in connection with the work agreed to be performed and shall indemnify and hold harmless the County from any cost, expense, royalty, or damage which the County may be obliged to pay by reason of any infringement at any time during the prosecution of or after completion of the work under any contract awarded under this solicitation.
- 5.4.5. The Contractor must pick up and remove all fireworks-related debris from the site prior to leaving the area on the same night. The Contractor must leave launch site in the same condition after the show is completed as it was prior to display installation. The Contractor is responsible for first-light sweep of the fireworks site the following day.
- 5.4.6. The Contractor must perform tests before beginning the official program to make sure that winds aloft will not distort the exhibition or carry hot or burning matter where it can cause injury or damages to persons or property. No aerial display may be fired when winds exceed fifteen (15) mph, when unusually wet weather presents other dangers, or when conditions are deemed unsafe by local authorities.
- 5.4.7. The Contractor must provide necessary safety equipment/materials, including fire extinguishers and transportation and security for the fireworks and launch site. The Contractor must ensure that fire extinguishers are in plain view when any live loads are on-site. The number of fire extinguishers must be adequate to the size of the display.
- 5.4.8. The Contract must obtain and purchase all necessary State and Local permits, bonds, and/or insurance and associated inspections required, prior to, during, and post event to conduct a fireworks display. All shoots must take place in accordance with NFPS, NFPA 1126, and Montgomery County Code Chapter 22. To obtain the required Montgomery County Fireworks Permit from the Department of Permitting Services, please visit their website at <https://www.montgomerycountymd.gov/DPS/Process/fpcc/fireworks.html>. To obtain the required Maryland State Fireworks Permit from the State Fire Marshall's Office, please visit their website at <https://mdsp.maryland.gov/firemarshal/Pages/ExplosivesandFireworks.aspx>.
- 5.4.9. The Contractor must furnish qualified operators for setup, launch, and takedown, and abide by all Federal, State, and Local regulations, which apply to handling and/or storage of pyrotechnics or conducting displays. The County is not responsible for providing labor assistance in the setup, breakdown, or removal of equipment and related debris and materials. The Contractor must provide to the County, no less than two (2) weeks from the scheduled date of the event, the names and qualifications of all Pyrotechnicians, including the Chief Pyrotechnician and any assistants. The information must include their cell phone numbers and email addresses of the Chief Pyrotechnician and Assistant Chief Pyrotechnician. Any changes to the Chief Pyrotechnician and/or Assistant Chief Pyrotechnician who will be responsible for the events must be immediately provided to the County.

## 5.5. County's Responsibilities

- 5.5.1. The County will provide fence/rope/police tape and site security to secure the fall out perimeter; and the sound system and staff to simplify the music.