

CONTRACT FOR PERFORMING SERVICES

STATE OF GEORGIA

COUNTY OF BARTOW

AGREEMENT made this 1st day of June, 2023, between the CITY OF CARTERSVILLE, GEORGIA, a municipal corporation and political subdivision of the State of Georgia, hereinafter referred to as "City" and ROTARY CLUB OF ETOWAH hereinafter referred to as "Contractee."

W I T N E S S E T H

WHEREAS, pursuant to the City of Cartersville Charter Article I, Section 1.05 (x) the City desires to enter into the following Agreement to promote and protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the City and its inhabitants,

WHEREAS, the Mayor and City Council of the City of Cartersville deems it is in the interest of the City to enter into the following Agreement to promote and protect the safety, health, peace, security, good order, comfort convenience, morals and general welfare of the City and its inhabitants,

WHEREAS, Contractee desires to perform the following services and/or activity for the City and its inhabitants:

To provide a Fourth of July fireworks spectacular at Dellinger Park.

Section 1. The City and Contractee agree to the following terms and conditions for good and valuable considerably received and in exchange for Contractee performing the above described activity and/or services the City will provide Contractee with the following:

- (a) Six (6) police officers at mutually agreed upon hours;
- (b) Two (2) firefighters on a ATV Response Unit from noon to the end of the event;
- (c) Contact Metro Atlanta EMS to request an ambulance to be stationed on site;
- (d) One (1) fire truck at 8:30 PM to the end of the event;
- (e) The City of Cartersville shall be responsible for all costs associated with any and all of the above City employees and equipment;
- (f) The City of Cartersville shall contribute to the fireworks display the sum of Six Thousand Dollars (\$6,000);

(g) The time to be spent, services performed and location of all personnel shall be approved by the City at least ten (10) days prior to the event and said information will be provided to the Rotary Club of Etowah:

(h) The Ten Dollar (\$10) parking charge at Dellinger Park, on July 4th, One Dollar (\$1) of which will be paid to the City by Contractee, and the balance of which shall be retained by Contractee;

Section 2. Contractee agrees to perform the described activities within the following time period, and has entered into a separate contract with JRM Management Services, Inc to operate said event on June 2, 2022:

The Contractee and its subcontractor JRM Management Services, Inc. shall operate and provide a firework display and provide the following services at Dellinger Park on July 4, 2022 or other mutually agreed upon date, weather permitting, as indicated on Exhibit "A" attached hereto.

Section 3. The City has no responsibility and/or liability for any of the activities and actions of Contractee.

Section 4. Contractee agrees to hold harmless the City against any and all claims, actions, or suits against it, relating to this Agreement or the performance of Contractee pursuant to this Agreement and agrees to defend the City in the event such claims are made against the City. In addition Contractee will reimburse the City for any and all costs incurred by the City in defending any claims against the City arising out of this Agreement or the performance of this Agreement.

Section 5. If Contractee fails to perform this Agreement within the time period specified in Section 2, Contractee upon written notification from the City must within ten (10) days make an accounting of all expenditures and costs incurred for the performance of this agreement and refund and/or reimburse the City all costs and funds disbursed for failure to perform this Agreement within thirty (30) days from the date the service was to be performed.

Section 6. Immigration Reform Compliance Requirement. During the entire duration of this contract, Contractor and all sub-contractors must remain in compliance with Georgia Security and Immigration Compliance Act of 2007 and Georgia code §13-10-91 and §50-36-1.

Section 7. The City, upon written notice, may request a report on the progress and/or expenditures of Contractee in performing this Agreement. Upon a request by the

City, Contractee will have ten (10) days to respond to said request to the appropriate official.

Section 8. All notices and accounting requests should be sent to the following:

For the City: City Manager, City of Cartersville
 P. O. Box 1390
 Cartersville, GA 30120

For the Contractee: ROTARY CLUB OF ETOWAH
 P.O. Box 2221
 Cartersville, GA 30120

IN WITNESS THEREOF, the parties hereto set their hands and affix their seals
this ____ day of _____, 2022.

Signed, sealed and delivered in the presence of: CITY OF CARTERSVILLE, GA

Witness

Matthew J. Santini, Mayor

Notary Public

Julia Drake, City Clerk

The above Agreement is hereby accepted this _____, day of _____,
2022.

Signed in the presence of: ROTARY CLUB OF ETOWAH

Witness

By: _____

Notary Public

Its: _____

Exhibit “A”
List of Activities Scheduled for Downtown and Dellinger Park
ROTARY CLUB OF ETOWAH 4th of July Celebration
July 4, 2022

- **Parade** – The ROTARY CLUB OF ETOWAH in cooperation with WBHF Radio will sponsor a parade through downtown Cartersville on July 4th. Participants will gather in the Tabernacle Baptist Church parking lot and will step off at 9:00 AM.
- **Arts and Craft** – Various commercial, individual and church vendors will offer a variety of foods, crafts and family oriented activities through the day.
- **Entertainment** – Throughout the day, a variety of family oriented entertainment will be scheduled for the event stage. Immediately preceding the “Fireworks Show” there will be approximately 30 minutes of patriotic music.
- **Car Show (optional)** – The ROTARY CLUB OF ETOWAH in cooperation with the Cartersville Shrine Club, will sponsor a car show at the park.
- **Fireworks Show** – At dusk the ROTARY CLUB OF ETOWAH in cooperation with the City of Cartersville, will sponsor a fireworks show produced and shot by a licensed pyrotechnic company.