632 WALNUT STREET
MOULTON, AL 35650

**CECIL CAINE**
ATTORNEY AT LAW
POST OFFICE BOX 667
MOULTON, ALABAMA 35650

TELEPHONE (205) 974-1126
FACSIMILE (205) 974-1111

Ms. Lisa Ciampi
Design Display, Inc.
351 Industrial Drive
Birmingham, Alabama 35211

July 31, 1997

COPY

**RE: Jesse Owens Museum Contract**

Dear Lisa:

By the time you receive this letter, the revised contract that you prepared should have been executed by the Chairman of the Commission, and, if you have not received a copy of the document, please give me a call.

I wanted to make sure and reconfirm our agreement on a couple of important points so that there would not be any later misunderstandings. First, you are aware that we may have to replace the roof on the building, and this is going to necessarily slow down the completion of your work. You have agreed to go ahead and acquire and assemble the cases, designs, etc., that would be placed in the museum, and store them without charge until the building is ready. There will be an initial draw payable at this time, a second draw, which would be due September 21, 1997, if you are half way through with production, and a third draw upon the installation and completion of the work.

I realize that initially you dealt primarily with Henry Buchanan and the Jesse Owens Park Committee, however, you should deal directly with the Commission on all future aspects of this contract since it is their responsibility to see that the contract is completed in a timely fashion, and they do not wish to delegate this function to third parties. Since the completion of all museum exhibits and graphics is pursuant to obtaining review and approval by the Owner, the Commission would expect to be notified and given the opportunity to do the necessary inspections prior to giving their approval.

Sincerely,

Cecil Caine

CC/dlj

cc: Lawrence County Commissioners
Joan Lang
Henry Buchanan

# JESSE OWENS MUSEUM
## *CONTRACT AGREEMENT*

This agreement made this 11th day of July 1997, by and between ***Design Display, Inc.*** hereinafter called the Contractor, and ***The Jesse Owens Memorial Park Board / Lawrence County Commission*** hereinafter called the Owner.

Witnesseth, that the Contractor and the Owner for the considerations named agree as follows:

**Article One: Scope of the work**

Contractor will present the museum design for the Jesse Owens Museum to Owner based on specified storyline. Contractor museum design will include development of floorplan, color renderings (showing each designed exhibit with dimensions), graphic layouts and specification of materials. Production will begin once written approval of museum design is provided by Owner.

Contractor shall furnish all of the materials and perform all of the work shown based on approved design specifications.

Production of Exhibits/Graphics
Installation of specified floor and wall coverings, lighting fixtures
Delivery of Exhibits/Graphics
Installation of Exhibits/Graphics

**Article Two: Time of Completion**

All museum exhibits and graphics will be built and stored at Design Display, Inc. until specified date for installation is given by the Owner. This date is pursuant on the completion of repairs and security to the museum facility. A tentative production shedule is provided to inform the Owner of the production time alloted in each phase. The completion of all museum exhibits and graphics is pursuant upon obtaining review and approval by the Owner. (Exhibit A-Production Schedule)

**Aritcle Three:Contract Price**

The owner shall pay the Contractor for the aforesaid design, travel expenses, production, delivery, and installation performed under the contract in the sum of two hundred and two thousand one hundred eighty-three dollars and forty-nine cents. ($202,183.49)
(See Museum Design for Price Breakdown)

**Article Four: Payment Schedule**

Payments of the contract price shall be paid in the manner following:

Design Cost Payment due upon completion of museum design - $10,000.00
Phase 1 - 1/3 Deposit payable prior to start of productionof exhibits/graphics - $64,061.17
Phase 2 - 1/3 Payment due halfway through job production - $64,061.16
Phase 3 - Balance less 10% due upon job completion - $57,655.05
Phase 4 - Final 10% due 60 days after installation - $ 6,406.11

**Article Five: General Provisions**

1. All work shall be completed in a workman-like manner and in compliance with all building codes and other applicable laws.
2. Contractor may engage subcontractors to perform work hereunder provided contractor shall fully pay and aforesaid Contractor in all instances remain responsible for the proper completion of the Jesse Owens Memorial Museum.
3. Exhibit/Graphic Reviews will be scheduled with Owner every two weeks at Design Display, Inc. (or otherwise specified reviews)
4. Any change orders or additions to exhibits or graphics shall be made no later than 48 hours following specified review. Change order must be made in writing and signed by Owner. Change orders should be directed to Lisa Ciampi, Design Display, Inc., 351 Industrial Drive, Birmingham, Al 35211 or faxed to (205) 945-8227.
5. Contractor warrants all work for a period of 12 months following completion. The warranty includes all exhibit/graphic materials from faulty workmanship for the aforesaid time period. Warranty does not include replacement items (ie: lightbulbs) and normal wear and tear incurred.

This agreement has been executed in duplicate, whereby both the Owner and Contractor have retained one copy each on this 11th day of July, 1997.

_____
Name of Owner

By:_____
Owner Signature

_____
Name of Contractor

By: _____
Contractor Signature

Street Address:

_____

_____

_____

Telephone _____

Fax # _____

# PRODUCTION SCHEDULE

| | |
|---|---|
| May 27, 1997 | Museum Design Approved |
| TBA | Begin Exhibit/Graphic Production at DDI / Exhibits and Graphics will be stored until installation date is set by Owner. (2 months) |
| TBA | 1st Production Stage at Museum Electrical/Lighting (2-3 weeks) |
| TBA | 2nd Production Stage at Museum Painting/Preparing Walls for Graphics (1 week) |
| TBA | 3rd Production Stage at Museum Flooring Installation (1 week) |
| TBA | 4th Production Stage at Museum Display/Graphic Installation (2 weeks) |

All exhibits and graphics will be built and stored at Design Display, Inc. until notified of installation schedule by Owner pursuant upon completion of museum facility. A proof of all graphics will be sent to Owner for review and approval. A review of graphic and exhibit material production will be every two weeks or as specified by the Owner.