



Contract Date: _____
 Job Name: _____
 CinemaTech Ref. #: _____
 Dealer Name: _____
 Prepared By: _____

Design Development Agreement

Bill-To: _____	Client Name: _____
Bill-To Address: _____	Install Address: _____
_____	_____
Contact Name: _____	Client Email: _____
Contact Email: _____	Client Phone: _____
Contact Phone: _____	Client Mobile: _____
Contact Mobile: _____	_____
Contact Fax: _____	_____
Accounting Contact: _____	Client Email: _____
Accounting Phone: _____	Client Fax: _____

Product/Process Overview

CinemaTech’s theater designs consist of components and elements that have been developed from a library of our previous theater designs and custom components. We create and modify, with your general contractor’s (GC) input, detailed architectural plans that the client’s GC uses to prepare the room for installation of the theater components. It is essential to note that your selection of a GC is very critical and should not be taken lightly. It is the GC’s responsibility to prepare the room to our mutual specifications. To assure this, CinemaTech will work with the GC to ensure compliance. Once the designs have been finalized, the theater is made to order by our manufacturing team. Upon completion of this stage, the theater elements are then shipped directly to the site and installed by our own installation crew. The theater package consists of all the components; decorative elements and furnishings that are necessary to complete the home theater environment.

THIS AGREEMENT ADDRESSES ONLY THE DESIGN AND DEVELOPMENT OF THE PROPOSED THEATER INCLUDING PRELIMIARY ACOUSTIC CONSIDERATIONS.

Once the Design Phase is complete, CinemaTech will be pleased to estimate the total theater cost which consists of Fabrication/Procurement of applicable Theater elements, Acoustical Treatments and Analysis, Shipping and Handling of the Theater Elements and Acoustical Treatments, and Installation by a Certified CinemaTech installation crew.

Design Package Includes:

- Preliminary Design Drawings (Up to 4 Revisions):**
 - Wall Elevations**
 - Room/Seating Layout**
- Three-dimensional Rendering (No Revisions)**
- Assistance with Material Finish Selection**
- Cost Proposal**

Design Services Phases

Design Development Documentation

To begin designing your theater, we require a non-refundable* payment of **\$3,950.00** for the initial development of your custom theater per the package specifications. **If additional revisions are required to the three dimensional rendering and build-to drawings above what the design package specifies an hourly amount of \$250.00 per hour will be billed in addition to the contracted Design Development Retainer amount of \$3,950.00.** This non-refundable deposit is included in your final theater price. Based upon the style of theater and components you have selected, CinemaTech will prepare a Proposal that describes the layout of the selected theater style. The Proposal will include an overview of the process, theater layout, elevations, material samples and an estimated cost based on your room dimensions. Upon acceptance of the final cost estimate, the Client will be asked to provide a signature of approval on a terms and conditions of sale contract.

Additional Design Services

Any changes or design revisions that you initiate after each service phase has been approved and signed will be billed to you at an hourly rate of \$250. Additional drafting or design services that are required as a result of major defects or deficiencies in the construction of the Project by your Contractor will also be billed to you at an hourly rate of \$250.

Other Required Services Not Directly Provided by CinemaTech

While CinemaTech will offer design solutions and recommended layouts for structural elements, electrical fixtures, HVAC devices etc., it is the responsibility of the General Contractor and trade subcontractors to secure all required permits and to assure compliance with all local and federal codes associated with the construction of this theater.

Also, there are a number of services that are required for the installation of a private movie theater that CinemaTech does not perform directly. The following services will be required for installation of your theater:

Room Preparation: Room preparation consists of preparing the room for installation of the Theater Components according to CinemaTech Construction Documents. A qualified contractor, secured by you, performs the Room Preparation. You must agree that CinemaTech has no control over the cost of labor, construction materials or equipment; nor does CinemaTech have control over the Contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions.

Electrical Wiring: Electrical wiring services and electrical fixture installation are to be provided by a licensed electrician according to the specifications detailed in the Construction Documents.

HVAC: The CinemaTech Construction Documents will provide information regarding the location of HVAC (Heating Ventilation/Air Conditioning) supply and return vents. However, it is the responsibility of the mechanical engineer of the project to coordinate with the CinemaTech design team with respect to the exact position of the vents. The Client's contractor will be responsible for installing the HVAC system.

Painting: Most of the Theater Components are pre-painted. It is the responsibility of the Client's Contractor to paint the ceiling and any parts of the walls not covered by the Theater Components. The Client's Contractor is also responsible for final touch-ups once the theater installation is finished. Painting instructions are provided with the Theater Components.

Warranty

There are no warranties extended or implied on this design only contract.

Audio/Video Equipment

The CinemaTech design will integrate the Audio/Video equipment, specified by the A/V designer, into the design of the theater.

Three-Dimensional Renderings

CinemaTech takes great pride in its accuracy in creating and presenting each of our beautiful renderings. The renderings are developed to present finishes, textures, colors, and lighting for the materials selected. Although we strive to create as "life like" a rendering as possible, physical factors will impact how the final actual, physical theater will look. The factors include light reflection, viewing angles and the resolution and color palette on your computer monitor. **CinemaTech is not responsible for variations between this rendering and the final product.**

Fee

In order for CinemaTech to schedule the Client's project into the design queue, calculate the theater cost and begin design services, the client should sign and return this proposal with a non-refundable* three thousand nine hundred and fifty dollar (**\$3,950.00**) retainer.

Design Development Retainer: \$3,950.00

***NOTE: During CinemaTech's Design Services Program (DSP) promotion period, the \$3,950.00 design payment will be credited against the purchase of a Custom Theater, ARS Theater and/or Seating Order (minimum value of \$25,000.00). The dealer must not have past due outstanding balances on any orders.**

An administrative fee of 3% will be added to credit card payments.

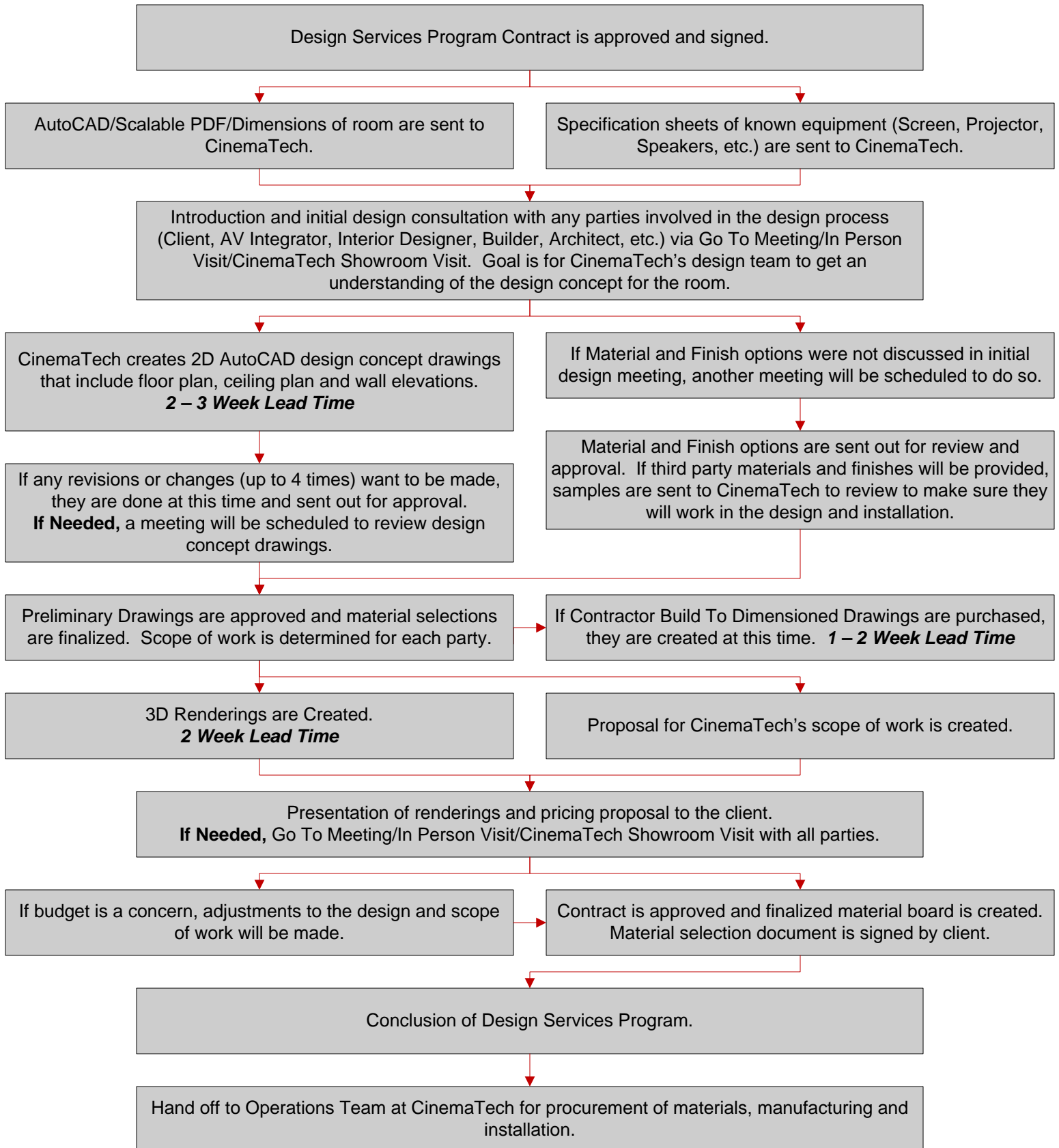
Sign Name: _____

Title: _____

Print Name: _____

Firm: _____

Date: _____



Please sign for approval: X