

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** February 2, 2022

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Purchase Orders with Alan Jay Automotive Inc. and Duval Fleet

I have reviewed the above referenced Agreement with the participating Department/Office(s), and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Public Works on behalf of the Police Department
 - 2) Type of Agreement – Purchase Orders
 - 3) Method of Procurement (RFP, bid, etc.) – Pursuant to Section 38.40(C)(9) of the City's Code of Ordinances, the City Commission may, when in the best interests of the City, by a 5/7 vote, waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies, materials, equipment or services.
 - 4) Term of Contract:
 - a) initial – One time purchase
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
 - 5) Contract Amount – \$1,077,214.00
 - 6) Termination Rights – City, acting through its City Manager or his/her designee, reserves the right to terminate the order in whole or in part for default (a) if Contractor fails to perform in accordance with any of the requirements of the order or (b) If Contractor becomes insolvent or suspends any of its operations or if any petition is filed or proceeding commenced by or against Contractor under any State or Federal Law relating to bankruptcy, reorganization, receivership or assignment for the benefit of creditors. Any such termination will be without liability to City except for completed items delivered and accepted by the City. Contractor, will be liable for excess costs of reprocurement.
 - 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
 - 8) Scope of Services – City shall purchase 37 new vehicles for PD.
 - 9) Other Significant Provisions: n/a
- cc: Dr. Wazir Ishmael, City Manager