

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 14, 2023

FROM: Douglas R. Gonzales, General Counsel

SUBJECT: Proposed Blanket Purchase Agreement with Dell Financial Services, LLC to lease 425 Panasonic Toughbook 55 Laptops with various accessories and services in an amount up to \$1,262,254.72 over a period of four years.

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** – Department of Information Technology
- 2) **Type of Agreement** – Purchase Agreement
- 3) **Method of Procurement (RFP, bid, etc.)** –

Best Interest - Section 38.41(C)(9) of the City Code provides that when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from the competitive bidding and competitive proposal requirements
- 4) **Term of Contract** -
 - a) initial – 48 months
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
- 5) **Contract Amount** – \$1,192,020.72 (lease payments over four years) + \$40,234.00 (accessories) + \$30,000.00 (contingency) = \$1,262,254.72
- 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** – Blanket Purchase Agreement for the lease of 425 Panasonic Toughbook 55 laptops, various accessories, and services from Dell Financial Services, LLC
- 9) **Other Significant Provisions** - n/a

cc: George R. Keller, Jr. CPPT, City Manager