

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: May 24, 2017

FROM: Alan Fallik, Acting City Attorney

SUBJECT: Proposed Purchase Order with Schwing Bioset

I have discussed the above Agreement with the participating Department/Office, and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Public Utilities
 - 2) Type of Agreement – Purchase Order
 - 3) Method of Procurement (RFP, bid, etc.) – Section 38.40(C)(3) of the City’s Purchasing Ordinance provides that, Sole-source supplies and services, such as unique, patented, or franchised supplies or services, are exempt if the Director determines, after conducting a good faith review of available sources, that the particular supply or service is available from only one source; however, such purchases with an estimated annual cost in excess of \$50,000 require a formal written contract approved by the Commission.
 - 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 – \$73,428.27
 - 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 reprourement.
 - 7) Indemnity/Insurance Requirements – Contractor shall comply with all applicable City requirements.
 - 8) Scope of Services – Contractor shall provide Reactor Feed Pump Parts to the Department of Public Utilities Wastewater Treatment Plant.
 - 9) Other significant provisions – None
- cc: Dr. Wazir Ishmael, City Manager