

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** April 14, 2023
FROM: Douglas R. Gonzales, City Attorney
SUBJECT: Proposed Professional Services Agreement with EAC Consulting, Inc., ("Consultant") to provide professional engineering consulting services for the design, construction administration, and grant administration of Lift Stations N-07 and N-08. Upgrade Project

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 Utilities
 - 2) Type of Agreement – Professional Services Agreement
 - 3) Method of Procurement (RFP, bid, etc.) – RFQ, in accordance with Section 287.055, Florida Statutes, (Consultants' Competitive Negotiation Act)
 - 4) Term of Contract:
 - a) initial – EAC will complete the project within two years
 - b) renewals – N/A
 - c) who exercises option to renew – N/A
 - 5) Contract Amount: \$515,189.62
 - 6) Termination Rights: The City has the right to terminate this Agreement for any reason or no reason, upon seven days' written notice. The Consultant has the right to terminate for breach by the City, if breach has not been corrected within sixty (60) days
 - 7) Indemnity/Insurance Requirements – The Consultant shall indemnify and hold City harmless from liabilities, damages, losses and costs arising from its negligence, recklessness or intentionally wrongful conduct
 - 8) Scope of Services: Consultant shall provide Professional Engineering Consulting Services for the Design, Construction Administration and Grant Administration related to upgrade of Lift Stations N-07 And N-08
 - 9) Other Significant Provisions: n/a
- cc: David E. Keller, City Manager