

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** March 9, 2017
FROM: Jeffrey P. Sheffel, City Attorney
SUBJECT: Proposed Blanket Purchase Order with Airgas, Inc. d/b/a Airgas USA, LLC

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 – Blanket Purchase Order
 - 3) Method of Procurement (RFP, bid, etc.) – Bid by the City of Ft. Lauderdale bid no. 442-11330
 - 4) Term of Contract
 - a) initial – One year
 - b) renewals (if any) – Three additional one-year renewals (This is final renewal period)
 - c) who exercises option to renew – Mutual agreement of the parties
 - 5) Contract Amount – \$304,303.50
 - 6) Termination Rights – City, acting through its City Manager or his/her designee, reserves the right to terminate the purchase order in whole or in part for default (a) if Contractor fails to perform in accordance with any of the requirements of the purchase 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 – Contractor shall supply pure liquid oxygen in order to maintain the wastewater treatment process in the event of mechanical failures resulting in prolonged shutdown of the facility.
 - 9) Other Significant Provisions – n/a
- cc: Dr. Wazir Ishmael, City Manager