

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: August 16, 2016

FROM: Jeffrey P. Sheffel, City Attorney

SUBJECT: Proposed Agreement with A to Z Metal Fabrication, Inc. for Rehabilitation of Spiractors

I have reviewed the above-captioned agreement for form and legality, and the general business terms and other significant provisions are as follows:

- 1) Department/Office involved – Public Utilities
- 2) Type of Agreement – Purchase Order
- 3) Method of Procurement (RFP, bid, etc.) – “Best interest” exemption (5/7 vote)
- 4) Term of Contract
 - a) initial – 6 mths.
 - b) renewals (if any) – This is the first of three 6-mth. renewals
 - c) who exercises option to renew – Renewal requires agreement of both parties.
- 5) Contract Amount – \$175,010, bringing the total contract amount to \$350,020.
- 6) Termination rights – For cause only.
- 7) Indemnity/Insurance Requirements – Vendor will indemnify City and provide insurance.
- 8) Scope of Services – Vendor will rehabilitate three spiractors in the Lime Softening System.
- 9) City’s prior experience with Vendor – Yes.
- 10) Other significant provisions – For the first three spiractors, Vendor did not provide payment and performance bonds, consistent with state law for projects not exceeding \$200,000. With this renewal, the total project cost exceeds \$200,000, and Vendor will be required to provide payment and performance bonds.

cc: Wazir A. Ishmael, Ph.D., City Manager