

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners **DATE:** April 26, 2017

**FROM:** Jeffrey P. Sheffel, City Attorney

**SUBJECT:** Proposed Purchase Order with Andritz Separation, Inc. and Addendum to the City of Hollywood Standard P.O. Term and Conditions

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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 and Addendum
  - 3) Method of Procurement (RFP, bid, etc.) – Pursuant to Section 38.40(C)(8) of the City’s Code of Ordinances, the City Commission may, when in the best interests of the City, by a 5/7 vote, waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies or services.
  - 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 – \$284,998.00
  - 6) Termination rights – Either party may terminate for cause.
  - 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements and shall be entitled to control the defense and resolution of such claim, provided that Contractor shall be entitled to be represented in the matter by counsel of its choosing at City’s sole expense. Where Loss results from the fault of both Contractor and City or a third party, then Contractor’s defense and indemnity obligation shall be limited to the proportion of the loss that Contractor’s fault bears to the total fault.
  - 8) Scope of Services – Contractor shall upgrade/refurbish six (6) Andritz 2.0M Belt Filter Press Control Panels in the Wastewater Treatment Plant.
  - 9) Other significant provisions – n/a
- cc: Dr. Wazir Ishmael, City Manager