

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners                   **DATE:** August 3, 2023  
**FROM:** Douglas R. Gonzales, City Attorney  
**SUBJECT:** Ratification of Emergency Purchase Order with Airgas USA, LLC  
for the Provision and Delivery of Liquid Oxygen to the Southern  
Regional Wastewater Treatment Plant

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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 – Purchase Order
- 3) Method of Procurement (RFP, bid, etc.) – Section 38.41(C)(1) of the Procurement Code exempts from competitive bid and competitive proposals emergency purchases that receive prior administrative approval except for the most urgent situations presenting a clear and present substantial threat to life or property where immediate action is required.
- 4) Term of Contract:
  - a) initial – n/a
  - b) renewals (if any) – n/a
  - c) who exercises option to renew – n/a
- 5) Contract Amount – Up to \$300,000.00
- 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 with or without cause.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
- 8) Scope of Services – Emergency provision and delivery of liquid oxygen (LOX) to the SRWWTP in an amount up to \$300,000.00
- 9) Other Significant Provisions: None

cc: George R. Keller, Jr. CPPT, City Manager