

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** September 29, 2022
FROM: Douglas R. Gonzales, City Attorney
SUBJECT: Proposed Purchase Order with Integrity Municipal Systems, LLC. to furnish and supply two in-kind replacement lime slaker units (No. 2 and No. 3) at the Water Treatment Plant.

I have discussed the above Agreement with the participating Department/Office, and the proposed general business terms and other significant ant provisions are as follows:

- 1) Department/Division involved – Public Utilities
- 2) Type of Agreement – Purchase order (**Best Interest**).
- 3) Method of Procurement (RFP, bid, etc.) – Pursuant to Section 38.41(C)(9) of the City’s Procurement Code, the City Commission may, when in the best interests of the City, by a **5/7ths affirmative 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 – In an amount not to exceed \$332,000.00.
- 6) Termination rights – City may terminate for cause.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements set forth in the purchase order terms and conditions.
- 8) Scope of Services – Contractor to provide 2 in-kind replacement lime slaker units at the water treatment plant.
- 9) Other significant provisions – a) Seller provides a limited warranty on the equipment; b) Seller is not liable for consequential, incidental, special, punitive or other indirect damages, and its total liability shall not exceed the purchase price of \$332,000.00, however, such limitation does not apply to any claims which vendor is responsible pursuant to the indemnification provision.

cc: Dr. Wazir A. Ishmael, City Manager