CITY OF HOLLYWOOD INTEROFFICE MEMORANDUM

TO: Mayor and Commissioners DATE: September 21, 2022

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Blanket Purchase Agreement with Parkson Corporation

for a turn-key project related to retrofitting reuse water filters at the

Southern Regional Wastewater Treatment Plant.

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 Dept. of Public Utilities
- 2) Type of Agreement Blanket Purchase Agreement
- 3) Method of Procurement (RFP, bid, etc.) Section 38.41(C)(2) of the City's Procurement Code provides that, **sole-source** supplies and services, such as unique, patented, or franchised supplies or services, are exempt if the Chief Procurement Officer determines, after conducting a good faith review of available sources, that the particular supply or service is available form only one source.
- 4) Term of Contract:
 - a) initial 11/06/22 to 11/05/23
 - b) renewals (if any) n/a
 - c) who exercises option to renew -n/a
- 5) Contract Amount Lump sum amount of \$2,750,000.00
- 6) Termination Rights –Yes.
- 7) Indemnity/Insurance Requirements (1) Termination: Buyer, acting through its City Manager or his/her designee, reserves the right to terminate this order In whole or in part for default (a) if Seller fails to perform In accordance with any of the requirements of this order or (b) If Seller becomes insolvent or suspends any of its operations or if any petition is filed or proceeding commenced by or against Seller 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 Buyer except for completed Items delivered and accepted by the Buyer. Seller, will be liable for excess costs of reprocurement. (2) Indemnification: Yes.

- 8) Scope of Services- Parkson Corporation will provide turnkey services for retrofitting all of the eight reuse filters, which includes supply of materials and equipment, installation and start-up services.
- 9) Other Significant Provisions: none
- cc: Dr. Wazir Ishmael, City Manager