

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** June 3, 2021

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Blanket Purchase Agreement and Amendment to the Blanket Purchase Agreement with Siemens Industry, Inc. for a turn-key project related to retrofitting five variable frequency drives servicing the influent pump station.

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 and Amendment to the Blanket Purchase Agreement.
- 3) Method of Procurement (RFP, bid, etc.) – Section 38.41(C)(2) of the City's Purchasing Ordinance 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 from only one source.
- 4) Term of Contract:
 - a) initial – 7/8/21 to 9/22/21.
 - b) renewals (if any) – n/a
 - c) who exercises option to renew –n/a
- 5) Contract Amount – Total cost in the amount of \$499,212.94 inclusive of cost for spare parts and training.
- 6) Termination Rights –Yes.
- 7) Indemnity/Insurance Requirements – Yes, however, the Addendum makes a minor revision to the City's BPA indemnification provision.
- 8) Scope of Services- Siemens will provide a turn-key project related to retrofitting five variable frequency drives servicing the influent pump station located at the southern regional wastewater treatment plant. The services are specifically set forth in Exhibit "A" of the Amendment to the Blanket Purchase Agreement.

Siemens Term Sheet continued

- 9) Other Significant Provisions: The Amendment to the Blanket Purchase Agreement includes a liquidated damages provision and commercial warranty provision.

cc: Dr. Wazir Ishmael, City Manager