

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 9, 2021

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Change Order No. 1 with TLC Diversified, Inc. related to Clarifier Nos. 5 and 6 Rehabilitation Phase II Project and extending the contract term.

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 – Change Order No. 1.
- 3) Method of Procurement (RFP, bid, etc.) – Original Contract approved by City Manager Memo 20-017 due to COVID-19 in accordance with the Governor's Declaration of Emergency and Florida Statutes.
- 4) Term of Contract:
 - a) initial – Pursuant to City Manager Memo, the estimated time for completion was 16 months from the issuance of the Notice to Proceed.
 - b) renewals (if any) – extensions based upon procurement code. **This item proposes and extension of the contract for 105 calendar days.**
 - c) who exercises option to renew – mutual
- 5) Contract Amount – Original contract amount of \$2,077,010 which included a \$450,000.00 contingency allowance for unforeseen conditions. The Department executed Field Order No. 1 in the amount of \$23,114.30 on October 21, 2020, Field Order No. 2 in the amount of \$15,400.00 on November 17, 2020, and Field Order No. 3 in the amount of \$6,783.76 on June 8, 2021, due to unforeseen conditions related to replacement of a 4 inch gate valve and application of Xypex concentrate coating over Clarifier No.5 walls, troughs, and trough supports. **This proposed Change Order No. 1 is in the amount of \$174,859.51.**
- 6) Termination Rights – with or without cause.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
- 8) Scope of Services – Contractor will provide services related to the replacement of the metal mechanism in Clarifier No. 6.

TERM SHEET CONTINUED

9) Other Significant Provisions: n/a

cc: Dr. Wazir Ishmael, City Manager