

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 10, 2021

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Ethanol-Blend Fuel Supply Agreement and Blanket Purchase Order with Protec Fuel Management, LLC

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 Works
- 2) Type of Agreement – Ethanol-Blend Fuel Supply Agreement and Blanket Purchase Order
- 3) Method of Procurement (RFP, bid, etc.) – Pursuant to Section 38.40(C)(9) of the City's Code of Ordinances, the City Commission may, when in the best interests of the City, by a 5/7 vote, waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies, materials, equipment or services.
- 4) Term of Contract:
 - a) initial – 5 years
 - b) renewals (if any) – unspecified
 - c) who exercises option to renew – Mutual agreement of the parties
- 5) Contract Amount – Estimated annual expenditure of \$950,000.00
- 6) Termination Rights – Either party may terminate for cause. City may terminate at any time upon at least 30 days prior written notice to Supplier.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
- 8) Scope of Services – Contractor shall supply and deliver environmentally green ethanol-based #85 flex fuel to City for its vehicle fleet.
- 9) Other Significant Provisions: n/a

cc: Dr. Wazir Ishmael, City Manager