

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** February 21, 2023

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Blanket Purchase Agreement with Nalco Water Inc., for the purchase of Nalco PC-1850T Antiscalant and 3D Trasar Technology

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

- 1) Department/Division involved – Public Utilities.
- 2) Type of Agreement – Blanket Purchase Agreement.
- 3) Method of Procurement (Sole Source) – Pursuant to Section 38.41(C)(2) of the City's Code of Ordinances, the City Commission may, when the CPO determines after conducting a good faith review of available sources that the particular supply or service is available from only one source, waive competitive bidding and competitive proposal requirements for the purchase of supplies or services in excess of \$100,000.
- 4) Term of Contract
 - a) initial – 3 years
 - b) renewals (if any) – none
 - c) who exercises option to renew – n/a
- 5) Contract Amount – In an estimated amount of \$195,000.00.
- 6) Termination rights – Pursuant to the City's Blanket Purchase Order, the City reserves the right to terminate the blanket purchase order in whole or in part for default (a) if Vendor fails to perform in accordance with any of the requirements of the order; or (b) if Vendor becomes insolvent or suspends any of its operations or if any petition is filed or proceeding commenced by or against Allied 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 City except for completed items delivered and accepted by City. Vendor will be liable for excess costs of reprocurement.
- 7) Indemnity/Insurance Requirements – Yes, Vendor will comply with the City's terms and conditions.
- 8) Scope of Services – Nalco will supply the City with Antiscalant and 3D Technology for use in Potable Water RO/MS Membrane.

9) Other significant provisions – n/a

cc: Wazir A. Ishmael, Ph.D., City Manager