

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** August 2, 2016

FROM: Jeffrey P. Sheffel, City Attorney

SUBJECT: Proposed Agreement with Sun Up Enterprises, Inc. for the lift station E-8 Force Main Replacement as part of the Gravity Sewer System Condition Assessment, Renewal Program (Level 2) as Identified in the 2007/2008 Wastewater System Master Plan (Project No. 15-7076).

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 – Contract/Agreement
 - 3) Method of Procurement (RFP, bid, etc.) – Bid No. 15-7076
 - 4) Term of Contract
 - a) initial – Completion of construction is 45 days from the Notice to Proceed.
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
 - 5) Contract Amount – In the amount of \$156,220.00.
 - 6) Termination Rights – a) City may suspend work at anytime and without cause for a period of not more than 90 days by written notice which will fix the date on which the work will resume; (b) City may terminate contract due to Contractor's filing of bankruptcy, failure to perform work under the Contract; (c) Upon 7 days written notice to Contractor, City may terminated without cause, for convenience and without prejudice to any other right or remedy, elect to abandon the work and terminate the Contract.; and (d) Contractor may stop work or terminate the Contract if through no fault of Contractor, the work is suspended by City for a period of more than 90 days or under a court order or other public authority, or if City fails for 60 days to pay Contractor any sum due, upon 7 days written notice to City.
 - 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
 - 8) Scope of Services – Contractor will replace a portion of an existing 16 inch sewer force main servicing Lift Station E-8.
 - 9) Other Significant Provisions – n/a
- cc: Wazir A. Ishmael, Ph.D., City Manager

