



City of Hollywood, Florida

2600 HOLLYWOOD BLVD. • P.O. Box 229045 • ZIP 33022-9045

DATE: March 7, 2018

RE: BLANKET ORDER #: B003090

PRODUCT/SERVICE: PUBLIC UTILITIES GENERATOR
PREVENTATIVE MAINTENANCE AND REPAIR SERVICES—
INITIAL TERM

Pantropic Power Products, Inc. V# 2675
Attn: Jose Roque
8205 NW 58 Street
Doral, FL 33166

Telephone Contact: 305-477-3329
Email: jose_roque@pantropic.com

Dear Vendor:

This is to inform you that the City of Hollywood, Florida is entering into a Blanket Order with your Company based on one of the following:

- | | |
|--|-----------------|
| <input checked="" type="checkbox"/> FORMAL BID #: F-4552-17-RL | DATED: 12-19-17 |
| <input type="checkbox"/> INFORMAL BID # | DATED: |
| <input type="checkbox"/> RENEWAL OF FORMAL BID # | DATED: |
| <input type="checkbox"/> EXTENSION OF FORMAL BID/RFP# | DATED: |
| <input type="checkbox"/> WRITTEN QUOTATION # | DATED: |
| <input type="checkbox"/> VERBAL QUOTATION PER | DATED: |
| <input type="checkbox"/> STATE OF FLORIDA CONTRACT # | DATED: |
| <input type="checkbox"/> BROWARD COUNTY BID # | |
| <input type="checkbox"/> OTHER: | DATED: |

Initial Award Term	3/8/2018 – 3/7/2021
First Renewal Term (Optional)	3/8/2021 – 3/7/2022
Second & Final Renewal Term (Optional)	3/8/2022 – 3/7/2023

*NOTE – City Reserves the right to exercise Optional Periods.

The estimated annual dollar value is **\$146,660.00**

The obligations of the City of Hollywood under this order are subject to the availability of funds lawfully appropriated for its purpose by the City Commission and are subject to the terms and conditions contained on the Purchase Order form.

NOTE: Prior to commencement of any work, certificates of insurance meeting the requirements of the Risk Manager and naming the City of Hollywood as additional insured, must be forwarded to Procurement Services.

The City of Hollywood Departments will issue hard copy orders against this Blanket Order as your authorization to deliver. All invoices must reference each unique document number.

If you have any questions, please contact **Robert Lowery** at (954) 921-3552.

c: Public Utilities
Finance

Robert Lowery

From: Paul Bassar
Sent: Thursday, February 01, 2018 10:23 AM
To: Steve Joseph
Cc: Gus Zambrano; George Keller; Douglas Gonzales; Francois Domond; Robert Lowery; Kellyv Angeles
Subject: RE: Bid decision for the generator maintenance effort

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Well received.

Robert please Post the *Notice of Intent to Award* (Pantropic) and start to prepare the RESO—we'll try to make this for the 2/22/2018 Agenda Meeting, if not we'll definitely have it for the 1st March Commission meeting.

From: Steve Joseph
Sent: Thursday, February 01, 2018 9:30 AM
To: Paul Bassar
Cc: Gus Zambrano; George Keller; Douglas Gonzales; Francois Domond; Robert Lowery; Kellyv Angeles
Subject: FW: Bid decision for the generator maintenance effort

Paul,

We do not have any objections going to option 2, if the lowest bidder is not meeting the bidding stipulation. Staff believes that TAW would still have to go to Pantropic anyway to be able to access their proprietary software to trouble-shoot the many Pantropic generators that we have in our system.

Steve J.

From: Paul Bassar [<mailto:PBASSAR@hollywoodfl.org>]
Sent: Wednesday, January 31, 2018 3:08 PM
To: Steve Joseph; Francois Domond
Cc: Gus Zambrano; George Keller; Douglas Gonzales; Robert Lowery
Subject: Bid decision for the generator maintenance effort

Hi Steve—

In short, we received three responses for Bid F-4552-17-RL (Generator maintenance). The lowest Bid was from TAW at \$105k (annually), however they proposed a modification to our standard terms and conditions, see attached TAW Amendment. The City Attorney advised that it's our call as to accept or reject. At this point it's now an operation decision to answer the question(s)

1. Do we want to accept the lowest Bidder proposal (\$109,420 annually) w/their modified T&C and potentially opening up to risk

2. Or do we want to reject TAW proposal and go with the 2nd Lowest Vendor ,Pantropic, (\$146,660) at an increase of \$37k per year.

NOTE—Commission meetings I've been at, I think there will be some serious discussions as to why we would throw out the lowest Bidder which is offering a significant savings to the City solely based on them wanting to modify our terms and conditions. But there's a potential risk factor as well...

Please advise if you want to go with #1 or #2. We will then prepare the Notice of Intent to Award and the subsequent Resolution.

Thank You

Paul A. Bassar

Director of Procurement & Contract Compliance
City of Hollywood
Office of the City Manager
2600 Hollywood Blvd Suite 303
P.O. Box 229045
33020-9045, FL 33022-9045
Office: 954-921-3628
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Notice: Florida has a broad public records law. All correspondence sent to the City of Hollywood via e-mail may be subject to disclosure as a matter of public record.

From: Douglas Gonzales
Sent: Wednesday, January 31, 2018 2:02 PM
To: Robert Lowery
Cc: Paul Bassar
Subject: RE: Amended Terms and Conditions Submitted with a Bid Response

Sec. 1.71: Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written. It is further agreed that any oral representations or modifications concerning this Agreement shall be of no force or effect, and that the Agreement may be modified, altered or amended only by a written amendment duly executed by both parties hereto or their authorized representatives.

I have always taken the position that the solicitation informs us whether any modifications to the agreement are appropriate. In this case, it seems to me given my reading of the attachments to the original email that the vendor is not allowed to request or make any agreement changes unless approved by the City. I did not see any provision directly indicating that no such changes could be requested, and believe it would be a good idea to place such a prohibition in the solicitation documents in the future when appropriate. However, the City is not required to accept any modification requested. Thus, the City is still in the position to determine whether to accept any proposed changes or not.

Hope this helps.

From: Robert Lowery
Sent: Tuesday, January 23, 2018 3:27 PM
To: Douglas Gonzales
Cc: Paul Bassar
Subject: Amended Terms and Conditions Submitted with a Bid Response

Hi Doug,

We recently put out a bid for Generator Preventative Maintenance and Repair Services and we received (3) bids. In review of the bids, the lowest bidder, TAW Power Systems, Inc., submitted an Amendment to the City's General Terms & Conditions (see attached).

We would like your opinion on how we handle instances like these on formal solicitations when modified T&C's are proposed. In my previous positions at other agencies they have been viewed differently by our Legal team. For ease of reference I also attached the Evaluation Checklist and a copy of the bid.

Please let me know if you need any further information.

Thanks,

Rob Lowery, *MPA, CPPB*
Procurement Contracts Officer



City of Hollywood
Department of Financial Services, Procurement Services Division
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