

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 20, 2018

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Agreement with ProTec Fuel Management, LLC for Supply of Ethanol-Blend Fuel

I have reviewed the above-captioned agreement for form and legality, and the general business terms and other significant provisions are as follows:

- 1) Department/Office involved – Public Works
- 2) Type of Agreement – Ethanol-Blend Fuel Supply Agreement
- 3) Method of Procurement (RFP, bid, etc.) – “Best interest” exemption
- 4) Term of Contract
 - a) initial – Remainder of 5-yr. term of original BPO issued to Protec
 - b) renewals (if any) –
 - c) who exercises option to renew –
- 5) Contract Amount – \$885,000/yr. (est.)
- 6) Termination rights – City can terminate without cause by giving 30 days’ notice.
- 7) Indemnity/Insurance Requirements – Vendor will indemnify City and provide insurance.
- 8) Scope of Services – Vendor will sell E-85 Flex Fuel to City.
- 9) City’s prior experience with Vendor – Yes.
- 10) Other significant provisions – Should another vendor supply E-85 flex-fuel at more favorable pricing, Protec will be given the opportunity to match the price, and if Protec is unwilling to match the price, the City may choose to obtain the E-85 flex fuel from the more competitive source

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