

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: January 22, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Purchase Order with Kompan, Inc.

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 – Parks, Recreation and Cultural Arts
 - 2) Type of Agreement – Purchase Order
 - 3) Method of Procurement (RFP, bid, etc.) – Section 38.46 of the City of Hollywood Code of Ordinances provides that the Director shall have the authority to join with other governmental entities in cooperative purchasing plans when the best interests of the city would be served thereby.
 - 4) Term of Contract:
 - a) initial – One time purchase
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
 - 5) Contract Amount – \$73,852.66
 - 6) Termination Rights – City, acting through its City Manager or his/her designee, reserves the right to terminate the order in whole or in part for default (a) if Contractor fails to perform in accordance with any of the requirements of the order or (b) If Contractor becomes insolvent or suspends any of its operations or if any petition is filed or proceeding commenced by or against Contractor 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 the City. Contractor, will be liable for excess costs of reprocurement
 - 7) Indemnity/Insurance Requirements – Contractors shall comply with applicable City requirements.
 - 8) Scope of Services – Contractors shall provide and install playground equipment, and safety surfacing.
 - 9) Other Significant Provisions: U.S. Communities Government Purchasing Alliance Contract #2017001135
- cc: Dr. Wazir Ishmael, City Manager