

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** February 25, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Purchase Order with Post & Beam, LLC. for the purchase of two first aid stations and six lifeguard towers.

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 – Dept. of Fire Rescue and Beach Safety and Design, Construction and Management Services
- 2) Type of Agreement – Purchase Order
- 3) Method of Procurement (RFP, bid, etc.) – **Best Interest. Section 38.40(C)(8) of the Purchasing Ordinance requires a 5/7ths vote.**
- 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 – In the amount not to exceed \$698,368.00.
- 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 – Contractor shall comply with applicable City requirements.

- 8) Scope of Services – Vendor will provide two first aid stations and six lifeguard towers.
- 9) Other Significant Provisions: none
- cc: Dr. Wazir Ishmael, City Manager