

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** April 30, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Purchase Order with Duval Ford, LLC. for the purchase of a single turner valve maintenance trailer and operational accessories.

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 Public Utilities
- 2) Type of Agreement – Purchase Order
- 3) Method of Procurement (RFP, bid, etc.) – a) **For the Single Turner Valve Maintenance Trailer Purchase: Piggyback. Florida Sheriffs Association Solicitation No. FSA-19-VEH17.0.** Section 38.40(C)(5) of the City's Purchasing Ordinance allows the Director to procure, without following formal procedures, all goods and services which are subject of contracts with the state, its political subdivisions, the United States government, other governmental entities, or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, provided however, the goods and services are: (i) the subject of a price schedule negotiated by the state or the United States government, or (ii) the subject of a contract with another governmental entity or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, which contract is based strictly on competitive bids or competitive proposals and not on any preference.

b) **For the operational accessories for the trailer: Section 38.40(C)(8) of the Purchasing Ordinance requires a 5/7ths vote as it is a Best Interest.**
- 4) Term of Contract:
 - a) initial – FSA contract expires on 9/30/20 (one time purchase)
 - b) renewals (if any) – n/a.
 - c) who exercises option to renew – n/a.
- 5) Contract Amount – a) Single turner valve maintenance trailer – total cost is \$65,875.00; and b) operational accessories- \$1,537.00. For a total cost of \$67,412.00.

- 6) Termination Rights – Buyer, acting through the City Manager or his designee, reserves the right to terminate this order in whole or in part for default (a) if Seller fails to perform In accordance with any of the requirements of this order or (b) If Seller becomes insolvent or suspends any of its operations or if any petition is filed or proceeding commenced by or against Seller 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 Buyer except for completed Items delivered and accepted by the Buyer. Seller, will be liable for excess costs of reprourement.
 - 7) Indemnity/Insurance Requirements – yes, in accordance with provisions in the purchase order.
 - 8) Scope of Services – Duval Ford, LLC. will provide City with a single turner valve maintenance trailer and operational accessories.
 - 9) Other Significant Provisions- n/a
- cc: Dr. Wazir Ishmael, City Manager