

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: August 24, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed First Amendment to the Agreement with Liberia Economic and Social Development, Inc. ("LES") to revise the activities for the remaining term of the agreement and to extend the submission date for the financial audit.

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 – Department of Development Services/Community Development Division
- 2) Type of Agreement – First Amendment to the Agreement. Original Agreement and award approved by Resolution No. R-2019-226.
- 3) Method of Procurement (RFP, bid, etc.) – Original approval based upon , **Best Interest** pursuant to Section 38.40(C)(8) which required a 5/7ths vote.
- 4) Term of Contract:
 - a) initial – commenced on October 1, 2019 and expires September 30, 2020.
 - b) renewals (if any) – none
 - c) who exercises option to renew – n/a
- 5) Contract Amount – Original award in the amount of \$16,000.00. **This first amendment does not change the total contract price. As of May 25, 2020, no funds have been expended. The maximum funds of will now be allocated for the Feeding Seniors Program.**
- 6) Termination Rights – Pursuant to the Agreement, termination is as follows:
 - (a) Agreement is contingent upon availability of funds. If funds are not available, then the Agreement shall terminate upon no less than 24 hour notice in writing to the subgrantee; (b) if the subgrantee fails to commence work within three months from the date of execution of the Agreement, or fails to timely fulfill in a timely manner its obligations, or subgrantee violates the terms of the Agreement, the City has the right to terminate the Agreement or suspend payment by written notice and specifying the effective date of such suspension or termination at least five days before the effective date; and (c) either party may terminate upon 30 days' notice and stating the reason for such termination.

- 7) Indemnity/Insurance Requirements – LES. indemnifies pursuant to Article IX of the Agreement.
- 8) Scope of Services – Under the First Amendment, the program activity is being changed from the Spanish IPAS Program to Feeding Seniors Program. LES will provide food to Hollywood seniors 62 years of age or older.
- 9) Other Significant Provisions: The proposed First Amendment also extends the financial audit requirement from 90 days to 180 days and amends Exhibit “B” relating to the Budget and Reimbursement Schedule.

cc: Dr. Wazir Ishmael, City Manager