

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 1, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Blanket Purchase Agreement ("BPA") and Addendum to BPA with OMB, LLC. for the remaining duration of the 50/50 sidewalk program and implementation of work.

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 Development Services/Engineering, Transportation and Mobility Division
- 2) Type of Agreement – Blanket Purchase Agreement and Addendum to BPA.
- 3) Method of Procurement (RFP, bid, etc.) – Section 38.41(C)(9) of the Procurement Code: Best Interest. Requires a 5/7ths vote.
- 4) Term of Contract:
 - a) initial – 11/04/2020 to 3/30/2021.
 - b) renewals (if any) – n/a
 - c) who exercises option to renew –n/a
- 5) Contract Amount – In the amount of \$199,375.95. Payments are pursuant to provision in Addendum.
- 6) Termination Rights – with or without cause.
- 7) Indemnity/Insurance Requirements – Yes, see addendum for indemnity.
- 8) Scope of Services – Vendor will provide sidewalk construction services that includes new sidewalk construction and repairs to existing sidewalks at various locations citywide in accordance with the project scope outlined in the addendum to the BPA.
- 9) Other Significant Provisions: a) Vendor will provide a performance bond; b) In the event that Vendor fails to complete the work in accordance with the schedule, City has the right to terminate the agreement and Vendor will reimburse City for any costs associated with the City having to retain another Vendor; c) the Addendum provides for liquidated damages; and d) Vendor provides warranty and guarantee pursuant to Paragraph 7 of the Addendum.

cc: Dr. Wazir Ishmael, City Manager