

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners **DATE:** October 27, 2020

**FROM:** Douglas R. Gonzales, City Attorney

**SUBJECT:** Proposed Blanket Purchase Agreement and Addendum to the Blanket Purchase Agreement with Andritz Separation, Inc. for the disassembly, rehabilitation and reassembly of belt presses and the purchase and installation of new rollers.

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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 – Blanket Purchase Agreement and Addendum to the Blanket Purchase Agreement's Terms and Conditions
- 3) Method of Procurement (RFP, bid, etc.) – Section 38.41(C)(2) of the City's Purchasing Ordinance provides that, **sole-source** supplies and services, such as unique, patented, or franchised supplies or services, are exempt if the Chief Procurement Officer determines, after conducting a good faith review of available sources, that the particular supply or service is available from only one source.
- 4) Term of Contract:
  - a) initial – 11/09/2020 to 12/27/2021.
  - b) renewals (if any) – n/a
  - c) who exercises option to renew –n/a
- 5) Contract Amount – Total cost in the amount of \$1,835,805.36 which includes a contingency amount of \$166,982.36. The contingency amount is to resolve unforeseen field modifications, adjustments, and changes during the installation of the belt presses.
- 6) Termination Rights –Yes.
- 7) Indemnity/Insurance Requirements – Yes, however, the Addendum makes a minor revision to the City's BPA indemnification provision.
- 8) Scope of Services – Vendor disassemble, rehabilitate and reassemble belt presses for five existing Andritz belt presses and will install new rollers purchased by the City.

- 9) Other Significant Provisions: The Addendum revises the excusable delay, Default, termination, UCC, Indemnification, Warranty, Limitation of Liability, Confidentiality and Ownership of Work Product, and entire agreement provisions of the City's standard Blanket Purchase Agreement provisions.

cc: Dr. Wazir Ishmael, City Manager