

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners **DATE:** February 9, 2021

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

**SUBJECT:** Proposed Blanket Purchase Agreement with MBR Construction for sidewalk construction services.

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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 Development Services/Engineering Division
- 2) Type of Agreement – Blanket Purchase Agreement
- 3) Method of Procurement (RFP, bid, etc.) – **Piggyback. Broward County's Request for Proposal No. PNC2120194B1.** Section 38.41(C)(5) of the City's Procurement Code allows the Chief Procurement Officer to procure, without formal solicitation procedures, all goods, supplies, materials, equipment, and services that are the 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 ("piggyback"), provided that the goods, supplies, materials, equipment, or services are the subject of a price schedule negotiated by the entities listed above and is based strictly on competitive bids, quotations, or competitive proposals and not on any preference and such utilization of other governmental entities contracts shall be permitted only during the term of the other governmental entity's contract.
- 4) Term of Contract:
  - a) initial – County's contract is from November 10, 2020 through November 20, 2022.
  - b) renewals (if any) – per County contract, additional one year term
  - c) who exercises option to renew – mutual
- 5) Contract Amount - in the amount of \$2,501,545.00.
- 6) Termination Rights – for cause/for convenience. (See Paragraph 12 of County's solicitation)
- 7) Indemnity/Insurance Requirements – Yes.

- 8) Scope of Services – MBR shall provide sidewalk construction services for the sidewalk corridors project.
- 9) Other Significant Provisions- (a) The County's solicitation requires Vendor to adhere to amongst other matters, the County Business Enterprise Goals; and (b) Liquidated damages is include on the Project Manual Section 01 300 00 of the County's solicitation.

cc: Dr. Wazir Ishmael, City Manager