



City of Plantation
City Council Chambers

Subject:

Assignment of an Agreement from Bergeron Emergency Services Inc. to EDS Holdco, LLC (Agreement No. 035-18; Emergency Debris TDMS Sites)

Summary:

Requesting authorization and approval of the following:

Transfer/Assign Agreement No. 035-18; Emergency Debris TDMS Sites from Bergeron Emergency Services Inc. to EDS Holdco, LLC pursuant to Section VIII (1) of the executed agreement. Unless amended herein, all other approval shall remain in effect.

Procurement:

On November 7, 2018, consent agenda item No. 6, City Council approved the following:

- Execution of an agreement (No. 035-18) between the City and Bergeron Emergency Services Inc. for Emergency Debris TDMS Sites based on a competitive procurement process and successful negotiations.

Pursuant to section VIII Contractor's Responsibilities (1) No Transfer of Agreement, states the following:

- Contractor shall not assign or transfer the Contract or its rights, title or interests therein without City's prior written approval. The obligations undertaken by Contractor pursuant to the Contract shall not be delegated or assigned to any other person or firm unless City shall first consent in writing to the assignment. The City is relying upon the apparent qualifications and expertise of the Contractor, and such firm's familiarity with the City's area, circumstances, and desires. In the event the City is not for any reason or for no reason at all, satisfied with such substitute, Contractor shall be considered in breach of this Contract. Violation of the terms of this Paragraph shall constitute a breach of Contract by Contractor and the City may, at its discretion, cancel the Contract and all rights, title and interest Of Contractor shall there upon cease and terminate.

City staff has reviewed the qualifications and expertise of EDS Holdco, LLC, and Firm's

familiarity with the City's area, circumstances, and desires. Based on this review City staff concurs with the assignment/transfer of the mentioned agreement.

Based on the forgoing, the Procurement and Administration Departments requests authorization and approval of the following:

- Transfer/Assign Agreement No. 035-18; Emergency Debris TDMS Sites from Bergeron Emergency Services Inc. to EDS Holdco, LLC pursuant to Section VIII (1) of the executed agreement. Unless amended herein, all other approval shall remain in effect.

Background:

The purpose of this agreement is as follows:

- To provide an Emergency Debris Temporary Debris Management Site ("TDMS") Properties within the limits of the City of Plantation or within a 20 mile radius of the City of Plantation City limits. Contractor shall be fully permitted in accordance with local, State of Florida and Federal Government guidelines to receive, process, and disseminate and/or dispose of vegetative debris in the event of an emergency and/or disaster. The site(s) will be the final destination for debris/materials collected by the City's Disaster Debris contractor in the event of an emergency and/or disaster.

This item is now ready for City Council consideration.

Funding:

No financial impact at this time.

Amount:

No financial impact at this time.

Finance Director/Budget Manager Recommendation:

There is no financial impact for this item at this time.

Prepared By:

Asha Edwards

ATTACHMENTS:

[Agreement.pdf](#)

[Affidavit of Assignment](#)