

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: May 7, 2024

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Agreement(s) with Enterprise FM Trust, a Delaware Statutory Trust

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 – Public Works
- 2) Type of Agreement – Master Equity Lease Agreement
- 3) Method of Procurement (RFP, bid, etc.) – Request for Proposals Number RFP-017-23-RS
- 4) Term of Contract:
 - a) initial – Begins on the Delivery Date
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
- 5) Contract Amount – Up to \$3,000,000.00
- 6) Termination Rights – Either party may terminate for cause.
- 7) Indemnity/Insurance Requirements – To the extent permitted by State law, Lessee agrees to defend and indemnify Lessor, Servicer, any other agent of Lessor and their respective successors and assigns from and against any and all losses, damages, liabilities, suits, claims, demands, costs and expenses (including, without limitation reasonable attorneys' fees and expenses) which Lessor, Servicer, any other agent of Lessor or any of their respective successors or assigns may incur by reason of Lessee's breach or violation of, or failure to observe or perform, any term, provision or covenant of this Agreement, or as a result of any loss, damage, theft or destruction of any Vehicle or related to or arising out of or in connection with the use, operation or condition of any Vehicle.
- 8) Scope of Services – Contractor shall provide both outside maintenance and repair services needed for more extensive Services as well as develop and implement a comprehensive, ongoing long-term vehicle replacement program.
- 9) Other Significant Provisions: See section 9, Selection of Vehicles and Disclaimer of Warranties.

cc: George R. Keller, Jr. CPPT, City Manager