

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** May 10, 2023

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Inter-Local Agreement with Broward County for Solid Waste Disposal and Recyclable Materials

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 – Inter-Local Agreement
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract:
 - a) initial – 40 years
 - b) renewals (if any) – two 10 year extensions
 - c) who exercises option to renew – mutual agreement of the parties
- 5) Contract Amount – Not to exceed \$158,000.00
- 6) Termination Rights – No party may terminate or otherwise withdraw from the ILA during the initial term.
- 7) Indemnity/Insurance Requirements – The Authority will, at its sole cost and expense, indemnify , hold harmless, and defend each Party and each Party's current , past and future officers, agents, and employees, to the maximum extent permitted by law, from and against any and all causes of action, demands, claims, counterclaims, third-party claims, administrative actions, damages of any kind, (including, without limitation, personal injury or bodily harm), destruction, losses, liabilities, costs (including, without limitation, costs of investigations, assessments, clean up, fines, violations, punitive damages, regulatory reopeners, and/or remediation), and expenditures of any kind, including, without limitation, attorneys fees', court costs, and expenses, including, through the conclusion of any appellate proceedings, for the matter described in the ILA.
- 8) Scope of Services – City deems it beneficial to enter into the ILA to create the Solid Waste Disposal and Recyclable Materials Processing Authority with Broward County and other participating municipalities, and contribute to the cost of the ILA.
- 9) Other Significant Provisions: Broward County has agreed to contribute up to 50% of the total cost of the ILA, with the remaining 50% to be paid on a pro rata basis based on the municipality's population.

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