

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners

**DATE:** June 1, 2016

**FROM:** Jeffrey P. Sheffel, City Attorney

**SUBJECT:** Proposed Agreement with SimpliVity Corporation for License to Use Software

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I have reviewed the above-captioned agreement for form and legality, and the general business terms and other significant provisions are as follows:

- 1) Department/Office involved – Information Technology
- 2) Type of Agreement – End User License Agreement
- 3) Method of Procurement (RFP, bid, etc.) – This agreement is related to the purchase of two hyperconverged server platforms and accessories from GovConnection, Inc., which were procured under the “piggyback” exemption.
- 4) Term of Contract
  - a) initial – Indefinite.
  - b) renewals (if any) –
  - c) who exercises option to renew –
- 5) Contract Amount – The contract amount for the related purchase server platforms and accessories is \$99,102. There is no additional cost for the End User License Agreement.
- 6) Termination rights – For cause only.
- 7) Indemnity/Insurance Requirements – The City will indemnify the vendor for any claims arising out of the City’s misuse of the software.
- 8) Scope of Services – The Vendor will grant the City a license to use the software.
- 9) City’s prior experience with Vendor – None.
- 10) Other significant provisions – None.

cc: Wazir A. Ishmael, Ph.D., City Manager