

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 10, 2021

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Software License and Maintenance Agreement and Addendums with Azteca Systems, LLC. for use of Cityworks Server Asset Management System by various City Departments

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 – Departments of Public Utilities, Public Works, Information Technology.
 - 2) Type of Agreement – Software License and Maintenance Agreement
 - 3) Method of Procurement (RFP, bid, etc.) – Section 38.41(11)(a) of the Procurement code provides for an exemption from competitive procurement requirements for software licensing and maintenance.
 - 4) Term of Contract:
 - a) initial – effective date of 11/1/2021. Services will be for a five year period as set forth on Addendum 1.
 - b) renewals (if any) – annual renewals
 - c) who exercises option to renew- mutual
 - 5) Contract Amount – In an amount not to exceed \$668,951.11.
 - 6) Indemnity/Insurance Requirements – Yes, as to indemnity. (See Article 9 of the Agreement).
 - 7) Termination – Yes, see Article 6.
 - 8) Scope of Services – Azteca will provide City with its Cityworks software product with nonexclusive licenses, along with maintenance and support. The software is a commercial off the shelf product.
 - 9) Other Significant Provisions: The Agreement includes limited warranties and disclaimers, as well as limitation of liability provisions.
- cc: Dr. Wazir Ishmael, City Manager