

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** June 3, 2019

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Interlocal Agreement with the City of Miramar to satisfy Hollywood's reuse system obligations under the Ocean Outfall Legislation

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 Utilities
- 2) Type of Agreement – Interlocal Agreement
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract:
 - a) initial – commences upon execution and continues for a period of 30 years
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
- 5) Contract Amount – In the amount of \$7,000,000.00.
- 6) Termination Rights – with cause.
- 7) Indemnity/Insurance Requirements – Each party shall be separately liable and responsible for the actions of their respective officers, agents and employees in the performance of their respective obligations under this Agreement. Both parties are entitled to benefits of sovereign immunity as set forth in Section 768.28, Florida Statutes.
- 8) Scope of Services – Pursuant to the Agreement, Hollywood is contracting with the City of Miramar to satisfy 2 million gallons per day of Hollywood's reuse system requirement under the Ocean Outfall Legislation. Miramar has agreed that by December 31, 2025, Miramar shall have completed an expansion of its Reuse System that will be capable of satisfying 2.0 MGD of Hollywood's reuse requirements.

Term Sheet continued: Interlocal Agreement with City of Miramar to satisfy reuse system obligation.

- 9) Other Significant Provisions: The Interlocal Agreement is contingent upon the Florida Dept. of Environmental Protection's approval. If FDEP does not approve the agreement then either party may terminate the agreement. Further the City's lump sum payment is due 90 days after receipt of FDEP's approval.

cc: Dr. Wazir Ishmael, City Manager