

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** March 12, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Interlocal Agreement with Broward County to provide cost share support of a Naturescape Irrigation Service and Oversight of the Resident Irrigation Rebate Program.

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 – Department of Public Utilities
- 2) Type of Agreement – Interlocal Agreement
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract:
 - a) initial – five years (4/13/20 to 4/12/25)
 - b) renewals (if any) – none
 - c) who exercises option to renew- n/a
- 5) Contract Amount – In an amount not to exceed \$102,982.47. Cost is broken-down as follows: (a) Rebate Program in an annual amount not to exceed \$11,002.04; and (b) Landscape and Irrigation evaluations in an annual amount not to exceed \$11,817.84.
- 6) Indemnity/Insurance Requirements – Insurance is based upon Section 768.28, Florida Statutes, and each party will provide verification of liability insurance in accordance with the state law. Each party does not waive its rights under sovereign immunity and shall be responsible for the negligent or wrongful acts or omissions of their respective employees pursuant to Section 768.28, Florida Statutes.
- 7) Termination - For cause or for convenience.
- 8) Scope of Services – Broward County will provide Naturescape Irrigation Services and Oversight for the Residential Irrigation Rebate Program as more specifically set forth in Exhibit “A” of the Interlocal Agreement.
- 9) Other Significant Provisions: (a) Agreement is subject annual appropriation and availability of funds in accordance with Chapter 129 and 166, Florida Statutes, whichever is applicable; (b) the parties waive their rights they may have to a trial by jury.

cc: Dr. Wazir Ishmael, City Manager