

BICYCLE REPAIR STATION INSTALLATION AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2019, by and between Indian River County (“IRC”), whose point of contact is IRC, Parks and Conservation Resources Division, 5500 77th Street, Vero Beach, FL 32967, and Vero Cycling Inc. (“VCI”) a nonprofit 501(c)(4), whose contact address is 5107 Formosa Circle., Vero Beach, FL 32967

IT IS THEREFORE, AGREED as follows:

1. IRC agrees to furnish a sixty-four (64) square foot concrete slab along the Trans-Florida Central Railroad Trail and outside of the Right of Way, west of WW Ranch Road (entrance road to Fran B. Adams Park).
2. IRC retains the sole discretion on any sponsorships or material wraps that are placed on the bicycle repair station by VCI. VCI must submit requests to IRC for approval of these items before placing them on the repair station.
3. VCI agrees to furnish and install the bicycle repair station on the concrete section that is supplied by IRC. (See Exhibit A for example).
4. VCI agrees to maintain and/or repair the bicycle repair station on an as-needed basis per the best practices for this type of equipment. VCI shall include contact information for the public to report any issues with the machine directly to VCI.
5. VCI agrees to maintain and/or replace the sponsorship wrap on the machine as-needed.
6. VCI agrees to indemnify, defend, and hold IRC harmless in any action brought against IRC based upon a negligent or intentional act of VCI as it relates to the bicycle repair station whatsoever; and this agreement in no way waives the sovereign immunity of IRC in any action brought against it.
7. To the extent allowed by law, IRC agrees to indemnify, defend, and hold VCI harmless in any action brought against it for the gross negligence of IRC or any of its employees operating in furtherance of this agreement.
8. If at any time IRC determines that the bicycle repair station needs to be removed or replaced, IRC reserves the right to take this action. VCI also has the right to remove the station if they feel it is no longer serving the intended purpose or due to repetitive damage.

IN WITNESS WHEREOF, the Board has executed this Donation of a Bicycle Repair Stand as of the date approved below.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

BY: _____
Bob Solari, Chairman

BCC Approved: _____

Attest: Jeffrey R. Smith, Clerk of Court and

Comptroller

By: _____
Deputy Clerk

Approved as to form and legal sufficiency

William K. DeBraal
Deputy County Attorney

Approved:

By _____
Jason E. Brown
County Administrator

Approved by VERO CYCLING INC., President

By: _____
David B. Hunter

Exhibit A

Map of bicycle repair station location with proposed 6'x6' concrete slab 12' setback from Ranch Road.

