

MAR 5 1981

RESOLUTION NO. _____

A RESOLUTION DECLARING ORANGE COUNTY'S INTENT REGARDING CONTRACT PROVISIONS WHICH REQUIRE ORANGE COUNTY TO INDEMNIFY PARTIES FROM CLAIMS BY THIRD PERSONS, OR WHICH ATTEMPT TO LIMIT THE LIABILITY OF SUCH PARTIES; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. Orange County ("the County") has agreements with American District Telegraph Co. (ADT) and other alarm service companies to provide for maintenance of alarm systems and alarm service protection at many buildings in the County.
2. A common feature in the standard contracts used by these companies is a clause which attempts to limit the companies' liability and to require that the County indemnify these companies from claims by third persons that arise out of a failure to provide proper service.
3. Due to its status as a political subdivision, the County is not authorized to waive its sovereign immunity by contract.
4. It is against sound principles of risk management and the County's self-insurance program for the County to agree to assume the potentially unlimited liability that may exist with respect to claims by third parties.


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. The County will not agree to indemnify parties with whom it contracts from their potential liability to third persons due to their negligence.

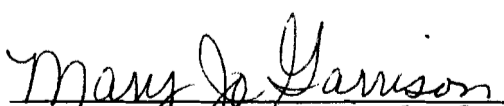
Section 2. Provisions in contracts entered by the County which attempt to limit the liability of the other party to the contract will only be accepted when such limitations are reasonable in light of the purpose of the contract and the surrounding circumstances.

Section 3. This resolution shall take effect immediately.

ADOPTED THIS 5th DAY OF March, 1981.


Chairman, Board of County
Commissioners of Orange County

ATTEST:


Deputy Clerk to Board of
County Commissioners