



**CONSENT AND WAIVER REGARDING APPLICATION OF HIGHER LIVING WAGE
AMOUNT**

Contract No. BLD2116617B1

Vendor Name ("Vendor"): MADSEN-BARR CORPORATION

Contract Service: FIRE HYDRANT AND REPAIR SERVICES

This document is Vendor's written consent to pay and waiver of any objection to the application of the higher amended living wage amount in the recently-amended Broward County Living Wage Ordinance ("Living Wage Ordinance") for the above-referenced contract ("Contract") between Broward County ("County") and Vendor for the Contract Service stated above.

RECITALS

A. County and Vendor entered into the Contract for provision of Contract Service. The Contract requires that Vendor, a "covered employer," comply with the Living Wage Ordinance, Sections 26-100 through 26-105, including that Vendor pay all of its employees providing "covered services," as defined in the Living Wage Ordinance, a living wage. The Contract also requires that Vendor comply with all applicable federal, state, and local laws, codes, ordinances, rules, and regulations.

B. On December 11, 2018, the Board of County Commissioners amended the Living Wage Ordinance to increase the living wage rate to at least \$13.27 per hour with qualifying health care benefit amounts of at least \$1.63 per hour, or at least \$14.90 per hour without health care benefits, adjusted annually as provided in the Living Wage Ordinance. This amendment to the Living Wage Ordinance provides that for covered contracts entered into prior to January 1, 2019, the vendor and County may enter into a written amendment applying the higher amended living wage rate or the vendor may provide written consent and express waiver of any objection or defense to the application of the higher amended living wage rate.

Now, therefore, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Vendor hereby:

1. Consents and agrees, for the remaining duration of the Contract, including any extensions, renewals, or amendments, to pay all of its "covered employees" providing "covered services" (as those terms are defined in the Living Wage Ordinance) a living wage rate of at least \$13.27 per hour with qualifying health benefit amounts of at least \$1.63 per hour, or at least \$14.90 per hour without health care benefits, adjusted as provided in the Living Wage Ordinance; and

2. Represents that all of Vendor's subcontractors that qualify as "covered employers" have consented to, waived any objection, and agreed to pay their "covered employees" the living wage rate of at least \$13.27 per hour with qualifying health benefit amounts of at least \$1.63 per hour, or at least \$14.90 per hour without health care benefits, adjusted as provided in the Living Wage Ordinance; and

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3. Expressly waives any objection or defense to the application to the Contract of the amendment to the Living Wage Ordinance enacted by Broward County on December 11, 2018, and agrees not to challenge or contest the applicability to the Contract of the higher living wage rates established by the December 11, 2018 amendment to the Living Wage Ordinance.

By signature below, Vendor affirms that this Consent and Waiver is freely made, that execution of this consent is within Vendor's legal powers, and that the individual executing this consent on behalf of Vendor is duly authorized by all necessary and appropriate action to do so on behalf of Vendor and does so with full legal authority.

WITNESSES:

VENDOR

Troy Nibsee
Signature

By: [Signature]
Authorized Signor

TROY NIBSEE
Print Name of Witness above

JOHN BARR, PRESIDENT
Print Name and Title

Raty Barr
Signature

9 day of JANUARY, 2019

RATY BARR
Print Name of Witness above

