

Customer Participation Form



I acknowledge and understand the following:

- I understand that as part of this program, I will receive the Flume Smart Water System for the discounted price of \$180 (plus tax and shipping). Upon installation of the Flume Smart Home Water Monitor, Flume will refund \$25 to my original payment method, and my net cost will be \$155 + tax and shipping.
- The batteries in the Flume device should last several years under normal operating conditions. However, once the batteries die, I understand that I will be responsible for replacing the batteries at my own expense, if I would like to continue using the device. However, I understand that I am under no obligation to do so.
- I understand that the device is not being provided by the City of Tracy and that the City of Tracy takes on no responsibility or liability for the device to work as designed.
- I understand that I will be billed for water consumption based only on measurements from the City of Tracy meter. Flume provides detailed information on daily water use, but its readings will not always match the total bimonthly reads from the City of Tracy meter, which do not always coincide with the calendar months.
- This offer is non-transferable. Flume must be installed at the property associated with the account that received the offer.
- Flume must be installed within 30 days of delivery or returned to Flume. Flume can send a mailing label for this purpose and will refund my payment.
- I am the account holder of the property where Flume will be installed and understand by accepting this offer, I own the device.
- I am physically able to install the Flume Water Sensor on my water meter, which may require bending over my in-ground meter box and working with my home Wi-Fi system.
- My home has Wi-Fi and I have a smartphone (iOS or Android) or other mobile device.
- I am able to plug the Flume Bridge into a power outlet inside my home and am able to connect it to my home's Wi-Fi. This process is similar to the installation of other smart home technology.
- This system presents no guarantee for reductions in water use.
- I allow Flume to share water use data with the City of Tracy in part to assist in determining potential water savings of this device.
- As a part of this program, I agree to keep the Flume Smart Water System installed for one year.
- I agree to install Flume without tampering with the meter in any other way.
- I agree to participate in at least one online follow-up survey conducted by the City of Tracy.
- To the fullest extent permitted by law, by signing this Participation Agreement, I, as well as my heirs, successors, and assigns shall indemnify and hold harmless the City of Tracy, and its respective officers, directors, employees and agents from and against any and all liabilities, claims, losses, obligations, damages, fines, civil penalties, judgments, costs, expenses of any kind or nature including, but not limited to, interest, court costs, and reasonable attorney fees, arising from this Participation Agreement ("Claim"), except to the extent such Claim arises from the sole negligence or willful misconduct of the City, its officers, directors, employees, or agents.