

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** October 11, 2018

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Agreement with the Hollywood Art and Culture Center, Inc. (Cultural Center) for the purpose of coordinating and managing cultural arts programming services at the Hollywood Central Performing Arts Center (HCPAC)

I have discussed the above Agreement with the participating Department/Office, and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Parks, Recreation, and Cultural Arts
 - 2) Type of Agreement – n/a
 - 3) Method of Procurement (RFP, bid, etc.) – Pursuant to Section 38.40(C)(8) of the City’s Code of ordinances, the City Commission may, when in the best interest of the City, by a 5/7 affirmative vote, waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies or services.
 - 4) Term of Contract
 - a) initial – 1 year contract expires September 30, 2019
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – City
 - 5) Contract Amount – \$70,000.00
 - 6) Termination Rights – In the event that funds are not appropriated or available, City shall provide the Cultural Center with 90 days written notice and the Agreement will terminate. The Cultural Center may terminate upon 90 days written notice in the event of substantial failure to perform by the City. City may terminate with or without cause upon 90 days prior written notice.
 - 7) Indemnity/Insurance Requirements – Cultural Center shall comply with applicable City requirements.
 - 8) Scope of Services – Culture Center shall provide services including but not limited to the planning and coordination of performing arts programs at HCPAC.
 - 9) Other Significant Provisions – n/a
- cc: Dr. Wazir Ishmael, City Manager