

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONCERT SERIES AGREEMENT WITH THE RHYTHM FOUNDATION, INC. TO PROVIDE PRODUCER SERVICES FOR A SERIES OF THREE CONCERTS AT ARTSPARK IN AN ANNUAL AMOUNT UP TO \$150,000.00 IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE. (BEST INTEREST)

WHEREAS, the Department of Parks, Recreation and Cultural Arts ("PRCA") requires a Concert Series Agreement ("Agreement") for a qualified concert/special event producer or qualified group or professional (producer) to coordinate three Concert Series between February and June to be held in the ArtsPark at Young Circle; and

WHEREAS, PRCA's goal is to continue to promote and execute all aspects of the Concert Series each fiscal year; and

WHEREAS, Section 38.41(C)(9) of the Procurement Code provides that when the City Commission declares by a five-sevenths affirmative vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from competitive bidding and competitive proposal requirements; and

WHEREAS, Rhythm Foundation, Inc. has produced live events at ArtsPark for more than 15 years, and is the foremost presenter of world music and cultural events in South Florida with a three-decade history of presenting over 500 outstanding international artists throughout the region; and

WHEREAS, the Director of PRCA and Chief Procurement Officer recommend that the City Commission approve and authorize the execution of a Concert Series Agreement with Rhythm Foundation, Inc. to provide services in an annual amount up to \$150,000.00; and

WHEREAS, funding for this agreement is available in account number 001.300601.57200.549110.000000.000.000; and

WHEREAS, the Agreement is subject to PRCA receiving all insurance documentation required and approved by the City's Risk Manager, along with signed statements of Hold Harmless and Indemnity in favor of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of a Concert Series Agreement embodying the terms and conditions approved by the City Commission this date with the Rhythm Foundation, Inc. in a form acceptable to the City Manager and approved as to form by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____, day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY