

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** February 19, 2009
FROM: Jeffrey P. Sheffel, City Attorney
SUBJECT: Proposed Letter Agreement with Florida East Coast Railway (FEC) and All Aboard Florida – Operations, LLC

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 – Development Services
 - 2) Type of Agreement – Letter Agreement
 - 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 interests of the City, by a 5/7 vote, waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies or services.
 - 4) Term of Contract
 - a) initial – Completion by December 31, 2108
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
 - 5) Contract Amount – \$188,794.00
 - 6) Termination rights – Either party may terminate with cause.
 - 7) Indemnity/Insurance Requirements – n/a
 - 8) Scope of Services – All Aboard Florida – Operation, LLC’s contractor, Archer Western shall remove 128 trees in the City of Hollywood easement along the west side of Dixie Highway.
 - 9) Other significant provisions – None.
- cc: Dr. Wazir Ishmael, City Manager