

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: June 14, 2017

FROM: Alan Fallik
Acting City Attorney

SUBJECT: Proposed Amended and Restated Agreement for Beach Services on Hollywood Beach with Margaritaville Hollywood Beach Resort, LLC

I have reviewed the above captioned agreement for form and legality. The general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Dept. of Parks, Recreation and Cultural Arts
- 2) Type of Agreement – Amended and Restated Agreement for Beach Services
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract
 - a) initial – upon commencement of the term as this Beach Agreement as provided in Section A and shall cease August 27, 2025, which is ten years from the date the Developer applied for a certificate of occupancy of the Hotel.
 - b) Extension- Yes
 - c) who exercises option to renew – Upon Developer’s request, and City Commission has the right to approve, approve with conditions, or deny such request in its sole discretion.
- 5) Contract Amount – n/a. (See D.4. and I. of the attached Agreement).
- 6) Termination rights – Yes.
- 7) Indemnity/Insurance Requirements – Yes. (See F. and G. of the Agreement).
- 8) Scope of Services – Developer provides beach services as more specifically set forth in Section D. of the Agreement, which includes access to equipment and the provision of food and beverage services.
- 9) City’s prior experience with Vendor (if any) - Yes.
- 10) Other significant provisions – n/a

cc: Wazir A. Ishmael, Ph.D., City Manager