

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: August 10, 2016

FROM: Jeffrey P. Sheffel
Interim City Attorney

SUBJECT: Proposed Extension of existing Sublease Agreement between JCD Golf of Florida, Inc. and Nikki's on the Green, Inc. for the operation of food and beverage services at Orangebrook Golf and Country Club in order to coincide with JCD's Management Agreement with the City.

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 – Parks, Recreation and Cultural Arts
- 2) Type of Agreement – Approval of Extension of Sublease Agreement pursuant to Section 21 of the Management Agreement.
- 3) Method of Procurement (RFP, bid, etc.) - Management agreement was based on **Best Interest**. Section 38.40(C)(8) of the Purchasing Ordinance. **No procurement for sublease.**
- 4) Term of Contract
 - a) initial – 2 years
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a.
- 5) Contract Amount – Payments to be \$4,000.00 for October and November, and \$5,000.00 per month from December through April and \$4,000 per month from May through September coinciding with term dates of management agreement.
- 6) Termination rights – Either party to sublease may terminate the agreement with cause upon 90 days prior written notice. In addition, JCD has right to terminate immediately and without prior notice in the event that its agreement with the City is terminated.
- 7) Indemnity/Insurance Requirements - yes.
- 8) Scope of Services - Nikki's will continue to provide 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

