

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: April 12, 2017

FROM: Jeffrey P. Sheffel
City Attorney

SUBJECT: Proposed Second Amendment to the Neighborhood Stabilization Program (NSP-1 and NSP-3) Developer Agreement with The Broward Alliance for Neighborhood Development, Inc. for the acquisition, rehabilitation and sale of abandoned and foreclosed properties.

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 Development Services/Community Development Division
- 2) Type of Agreement – Second Amendment to the Developer Agreement
- 3) Method of Procurement (RFP, bid, etc.) - The initial agreement was based upon Best Interest. Section 38.40(C)(8).
- 4) Term of Contract
 - a) initial – Initial agreement commenced on January 20, 2013 and was to expire on February 20, 2015, however, in 2016 the term was extended to June 20, 2018.
 - b) renewals (if any) – Yes.
 - c) who exercises option to renew – City reserves the right to extend the Developer Agreement beyond the contract dates stated above and acceptance by Developer.
- 5) Contract Amount - Said NSP funding is as follows: (a) NSP-3 funding in an amount not to exceed \$177,313.81; and (b) NSP-1 funding in an amount not to exceed \$392,402.70. **This Second Amendment proposes to increase the NSP-1 funding from \$392,402.70 to \$417,402.70 (an increase of \$25,000.00)**
- 6) Termination rights – Yes. City has the right to terminate for cause the agreement or suspend payment in whole or part to developer. City may terminate the agreement for convenience.
- 7) Indemnity/Insurance Requirements - Band indemnifies and provides insurance. In addition, any contractors or subcontractors retained by Band shall indemnify and provide insurance.

TERM SHEET CONTINUED FOR SECOND AMENDMENT TO THE DEVELOPER AGREEMENT WITH BAND FOR ACQUISITION, REHABILITATION AND RESALE OF ABANDONED AND FORECLOSED PROPERTIES.

8) Scope of Services - Band, as the Developer, will acquire, rehabilitate and resell abandoned and foreclosed properties in accordance with the NSP activities outlined in Exhibit "A" entitled Project Description and Scope of 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