



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#13-1057

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: September 3, 2013

TITLE: Motion to approve agreement for beach equipment rental concession with
the addition of proposed changes – Contract 715-10794

Recommendation

It is recommended that the City Commission approve an agreement in substantially the form attached for beach equipment rental concession with Boucher Brothers Beach Management Fort Lauderdale, LLC (BBBM).

Background

Procurement Services issued a Request for Proposal (RFP) 715-10794 on October 19, 2011 for the beach equipment rental concession on Fort Lauderdale beach. The RFP was opened on November 28, 2011. One proposal was received from BBBM who was the incumbent and had held the contract for the beach equipment rental franchise for the prior three years.

Prior to the release of the RFP, the City Commission, at the October 18, 2011 Conference Meeting (CAR 11-0367, I-A), discussed the terms of the RFP. Consensus approval was given to allow for the sale of non-alcoholic beverages and to re-structure the minimum fee from annual to monthly payments as part of the RFP.

However, in its proposal, BBBM did not include a request for a variance and/or a plan with sufficient specificity for the sale of non-alcoholic beverages, which was a requirement of the RFP if BBBM wanted to provide these services.

At its January 17, 2012 Regular Meeting (CAR 12-0075, Pur-02), the City Commission approved the award of a three-year contract with BBBM for a beach equipment rental concession. The Commission also approved an extension of the contract for an additional two years in the event the City Ordinance was amended to allow for a five-year rather than a three-year term.

On May 23, 2013, BBBM proposed that the contract be revised to allow for the following:

- A five-year term, which is now permissible under the City Code of Ordinances.
- The sale of non-alcoholic beverages.
- A reduction in the amount of bond security to an amount equivalent to one month of the minimum annual guarantee in the amount of \$27,917.
- The use of two customized ATV's equipped with appropriate signage listing the products for sale in accordance with all applicable laws, ordinances rules and regulations. The contractor shall not use the ATVs for the delivery of products on the beach east of the Wave Wall.
- The contractor shall perform the Work under the general direction of the City as set forth in the contract documents.

Staff recommends approval of the agreement for beach equipment rental concession.

Resource Impact

There will be a positive fiscal impact to the City in the amount of \$12,500.

FUNDS AVAILABILITY LOCATION:

FISCAL YEAR	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	General	PKR011201	Beach Contracts	J726	Beach Misc. Concessions	2,000.00
TOTAL								2,000.00

FISCAL YEAR	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2014	001	01	General	PKR011201	Beach Contracts	J726	Beach Misc. Concessions	10,500.00
TOTAL								12,500.00

Attachment

Exhibit 1 – Amended Contract 715-10794

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Department Director: Phil Thornburg, Parks and Recreation