

# MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
PROPERTY MANAGEMENT DEPARTMENT  
Tel: 305-673-7193

January 26, 2021

Ms. Claire Tomlin  
The Market Company, Inc.  
238 E. San Marino Drive  
Miami Beach, Florida 33139

Sent Via E-mail: [claire@themarketcompany.org](mailto:claire@themarketcompany.org)

**Re: TEMPORARY AGREEMENT, PURSUANT TO REQUEST FOR LETTERS OF INTEREST 2019-318-WG (THE RFLI) FOR THE MANAGEMENT AND OPERATION OF THE LINCOLN ROAD GREEN MARKET, FOR THE OPERATION OF THE MARKET, AMENDING THE LETTER AGREEMENT DATED SEPTEMBER 30, 2020 FOR THE OPERATION OF THE MARKET AND EXTENDING THE TERM OF OPERATION FROM OCTOBER 1, 2020 THROUGH MARCH 31, 2021.**

Dear Ms. Tomlin:

The current agreement ("Existing Agreement") between the City of Miami Beach (the "City") and The Market Company, Inc. ("Concessionaire"), pursuant to RFP 2013-317-ME for the management and operation of the Lincoln Road Green Market ("Market"), expired on September 30, 2019. Subsequently, the Existing Agreement was extended on a month-to-month basis for a term not-to-exceed one (1) year ending September 30, 2020.

On September 16, 2020, the Mayor and City Commission adopted Resolution No. 2020-31401, authorizing the Administration to negotiate a new agreement with Concessionaire for the operation of the Market. Pending completion of negotiations, the City and Concessionaire executed a letter agreement, dated September 30, 2020, which extended the Existing Agreement, instead of approving the temporary operation of the Market under a separate temporary agreement ("Temporary Agreement"), pending completion of negotiations.

The following shall serve to amend the October 28, 2020 letter agreement to: (1) amend the term of the Temporary Agreement to reflect the period commencing on October 1, 2020 and ending on March 31, 2021; and (2) reflect that the operation of the Market under the terms of the Existing Agreement, incorporated herein by reference, subject to the following modifications: (i) the Percentage of Gross shall be twenty-two and a half percent (22.5%), with no Minimum Guarantee payment, and (ii) Concessionaire shall comply with all applicable CDC Guidelines, incorporated herein by reference and attached hereto as Attachment 1.

The City seeks concurrence from the Concessionaire to operate under the terms of this Temporary Agreement. This Temporary Agreement is terminable by the City for convenience and without cause at any time upon five (5) days written notice.

Please indicate your acceptance of the terms and conditions of this Temporary Agreement by executing below as indicated. Should you have any questions or need additional information please do not hesitate to contact me at (305) 673-7000 extension 22932.

Sincerely,

DocuSigned by:



546369F721BB40F...  
Adrian Morales  
Property Management Department Director

Attachment - 1 CDC Guidelines

Please sign below as your acceptance of the terms and conditions, as set forth in this Temporary Agreement.

THE MARKET COMPANY, INC

CITY OF MIAMI BEACH, FLORIDA

Claire Tomlin

BY:

DocuSigned by:



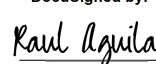
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Signature

1/29/2021 | 5:19 PM EST

Date

BY: Raul J. Aguila, Interim City Manager

DocuSigned by:



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Signature

1/29/2021 | 5:32 PM EST

Date

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
City Attorney

1/29/2021  
Date