

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING AMENDMENT NO. 5 TO THE MANAGEMENT AGREEMENT DATED OCTOBER 7, 2013 BETWEEN THE CITY OF MIAMI BEACH AND GLOBAL SPECTRUM L.P. D/B/A OVG360 FOR THE MIAMI BEACH CONVENTION CENTER (EXISTING AGREEMENT) EXTENDING THE TERM OF THE EXISTING AGREEMENT FOR AN ADDITIONAL SIX (6) MONTHS, COMMENCING ON APRIL 1, 2024 AND EXPIRING ON SEPTEMBER 30, 2024, SUCH THAT ANNUAL PERIODS INCLUDED IN THE TERM OF THE NEW MANAGEMENT AGREEMENT TO BE EXECUTED WITH OVG360 WILL ALIGN WITH THE CITY OF MIAMI BEACH FISCAL YEAR; AND APPROVING THE WAIVER, BY 5/7TH VOTE, OF THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 2-367 OF THE CITY CODE; AND FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 5.

WHEREAS, the City and Global Spectrum L.P. ("Global") are parties to a Management Agreement, dated October 7, 2013, pursuant to which the City engaged Global to manage and operate the Miami Beach Convention Center (the Management Agreement, as so amended and modified, is referred to herein as the "Agreement"); and

WHEREAS, the initial term of the Agreement was three (3) years, ending on September 30, 2016, subject to the City's right to extend the term for an additional two (2) years; and

WHEREAS, on October 21, 2015, in Resolution No. 2015-29191, the Mayor and City Commission approved Amendment No. 1 to the Agreement, extending the term thereof through September 30, 2020; and

WHEREAS, on September 23, 2016, the City Manager accepted notice to terminate the agreement for Global as manager and operator of the Colony Theater effective, September 30, 2016; and

WHEREAS, on September 12, 2018, in Resolution No. 2018-30508, the Mayor and City Commission approved Amendment No. 2 to the Agreement, extending the term thereof through September 30, 2022; and

WHEREAS, on September 11, 2019, in Resolution No. 2019-30986, the Mayor and City Commission approved Amendment No. 3 to the Agreement, approving an increase in Global's monthly impress amount and established a Global funded annual internship contribution; and

WHEREAS, on June 23, 2021, in Resolution No. 2021-31754, the Mayor and City Commission approved Amendment No. 4 to the Agreement providing for the management and maintenance, by Global, of Collins Canal Park, the two (2) clubhouse buildings formerly known as the Carl Fisher Clubhouse and Little Stage Theaters, and Pride Park, including the mangroves along Collins Canal with the footprint of the park; and provided for an additional annual fee of seventy-five thousand dollars (\$75,000) in consideration of the additional scope, and extended the term of the Agreement to March 31, 2024; and

WHEREAS, the extension of the agreement for 18 months resulted in the misalignment of the term of the Agreement with the City's fiscal year; and

WHEREAS, in June 2022, Global notified the City of a merger between Global and Oak View Group and its intent to operate and manage the Miami Beach Convention Center under the fictitious name "OVG360"; and

WHEREAS, Amendment No. 5 to the Agreement will extend the term by six (6) months, from April 1, 2024 through September 30, 2024, to align with the related Sodexo Live! and GMCVB agreements and the City's fiscal year; and

WHEREAS, the terms of the proposed Amendment No. 5 create continuity of operations during the return of international and domestic conventions, conference and destination meetings, the advancement of the convention center hotel, and to create symmetry amongst convention center related management, operations and sales agreements during a critical period of reputation growth is in the best interest of the City; and

WHEREAS, for the foregoing reasons, the Administration recommends that the Mayor and City Commission approve Amendment No. 5 to the Agreement.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize, Amendment No. 5 to the management agreement dated October 7, 2013 between the City of Miami Beach and Global Spectrum L.P. d/b/a OVG360 for the Miami Beach Convention Center (existing agreement) extending the term of the existing agreement for an additional six (6) months, commencing on April 1, 2024 and expiring on September 30, 2024, such that annual periods included in the term of the new management agreement to be executed with OVG360 will align with the City of Miami Beach fiscal year; and approve the waiver, by 5/7th vote, of the formal competitive bidding requirement in Section 2-367 of the City Code; and further, authorize the Mayor and City Clerk to execute Amendment No. 5.

PASSED AND ADOPTED this _____ day of _____ 2024.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Heath Rojas 2/16/2024
For City Attorney Date