

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF SHOWTURF, LLC'S INTEREST IN THREE (3) AGREEMENTS BETWEEN THE CITY AND SHOWTURF, LLC. (ASSIGNOR), FOR THE LEASE OF GOLF COURSE TURF MAINTENANCE EQUIPMENT FOR THE MIAMI BEACH GOLF COURSE, PURSUANT TO INVITATION TO BID (ITB) NO. 38-10/11; FOR THE LEASE OF GOLF COURSE TURF MAINTENANCE EQUIPMENT FOR THE NORMANDY SHORES GOLF COURSE, PURSUANT TO INVITATION TO BID (ITB) NO. 45-11/12; AND FOR THE LEASE OF GOLF COURSE TURF MAINTENANCE EQUIPMENT FOR BOTH, THE MIAMI BEACH GOLF COURSE AND NORMANDY SHORES GOLF COURSE, PURSUANT TO INVITATION TO BID (ITB) NO. 2016-149-ND, TO EFE, INC. (ASSIGNEE), AS THE SUCCESSOR-IN-INTEREST BY AQUISITION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONSENT TO ASSIGNMENT AND ASSUMPTION OF AGREEMENTS IN THE FORM ATTACHED TO THIS RESOLUTION.

WHEREAS, on September 14, 2011, the Mayor and City Commission awarded and authorized the execution of the agreement for the lease of golf course turf maintenance equipment for the Miami Beach golf course, pursuant to Invitation To Bid (ITB) No. 38-10/11 (Agreement); and

WHEREAS, on July 18, 2012 the Mayor and City Commission awarded and authorized the execution of the agreement for the lease of golf course turf maintenance equipment for the Normandy Shores golf course, pursuant to Invitation To Bid (ITB) No. 45-11/12 (Agreement); and

WHEREAS, on December 14, 2016, the Mayor and City Commission awarded and authorized the execution of the agreement for the lease of golf course turf maintenance equipment for both, the Miami Beach golf course and Normandy Shores golf course, pursuant to Invitation To Bid (ITB) No. 2016-149-ND; and

WHEREAS, on April 12, 2017, EFE, Inc. (EFE) completed a transaction to acquire SHOWTURF, LLC (SHOWTURF), with EFE emerging as the surviving entity; and

WHEREAS, SHOWTURF and EFE seek the City's consent to assign the referenced Agreements from SHOWTURF (the Assignor) to EFE, as successor-in-interest by acquisition (the Assignee); and

WHEREAS, pursuant to the Agreements, any assignment of the Agreement requires the written consent of the Mayor and City Commission; and

WHEREAS, the Administration has conducted its due diligence and recommends that the Mayor and City Commission approve the Assignment and Assumption of the Agreements (the Assignment), in the form attached to this Resolution as Exhibit "1"; and

WHEREAS, pursuant to the Assignment, EFE will assume all of SHOWTURF's obligations and responsibilities under the Agreements.

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 approve the assignment and assumption of SHOWTURF, LLC's interest in

the Agreements between the City and SHOWTURF, LLC. (Assignor), for the lease of golf course turf maintenance equipment for the Miami Beach Golf Course, pursuant to Invitation To Bid (ITB) No. 38-10/11; for the lease of golf course turf maintenance equipment for the Normandy Shores Golf Course, pursuant to Invitation To Bid (ITB) No. 45-11/12; and for the lease of golf course turf maintenance equipment for both, the Miami Beach Golf Course and Normandy Shores Golf Course, pursuant to Invitation To Bid (ITB) No. 2016-149-nd, to EFE, Inc. (Assignee), as the successor-in-interest by acquisition; and further authorize the Mayor and City Clerk to execute the Consent to Assignment and Assumption of Agreements in the form attached to this Resolution as Exhibit 1.

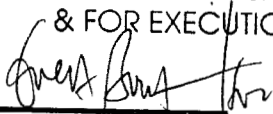
PASSED AND ADOPTED this 13th day of September, 2017.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

PHILIP LEVINE, MAYOR

APPROVED AS TO
FORM & LANGUAGE____
& FOR EXECUTION



City Attorney

9/11/17

Date

EXHIBIT 1
CONSENT TO ASSIGNMENT AND ASSUMPTION OF THE AGREEMENTS