RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS FEBRUARY 21, 2018 MEETING AND THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS FEBRUARY 23, 2018 MEETING AND WAIVING, BY 5/7TH VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND DANNY BERRY'S BASEBALL CAMP, INC., FOR YOUTH BASEBALL PROGRAMMING, FOR A PERIOD OF THREE (3) YEARS, WITH TWO (2) ADDITIONAL ONE-YEAR RENEWAL OPTIONS, IN AN AMOUNT NOT TO EXCEED $70,200.00 ANNUALLY, SUBJECT TO FINAL NEGOTIATION OF THE AGREEMENT BY THE ADMINISTRATION, AND LEGAL REVIEW AND FORM APPROVAL OF THE FINAL NEGOTIATED AGREEMENT BY THE CITY ATTORNEY; DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXECUTE AMENDMENTS TO THE AGREEMENT FOR ADDITIONAL PROGRAMMING (BASED ON FUTURE GROWTH OF THE PROGRAM), WITH SUCH AMENDMENTS NOT-TO-EXCEED A TOTAL OF $25,000; AND FURTHER, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AT ITS FEBRUARY 21, 2018 MEETING FOR THE ADMINISTRATION TO ENGAGE DOVER, KOHL AND PARTNERS TO INCLUDE A STUDY ANALYZING THE POSSIBLE INCLUSION OF A LITTLE LEAGUE BASEBALL FIELD ON THE WEST LOTS.

WHEREAS, Danny Berry has established and administered a Youth Baseball Program for Miami Beach residents and visitors ages 3-13 at North Shore Park since 2015 and has been one of the fastest growing programs offered through the Parks and Recreation Department; and

WHEREAS, during the 2015 winter inaugural season, Danny Berry Baseball consisted of 145 participants, 14 teams and 42 volunteer coaches. Every season the number of teams, coaches and volunteer participation has continued to grow. At the culmination of the fall 2017 baseball season the program has grown to 215 participants, 20 teams, and 70 volunteer coaches, with the winter 2018 season anticipating 23 teams; and

WHEREAS, during the fall 2017 season, Fairway and Normandy Isle Park hosted the program and potential games are set to occur at Flamingo and Polo Park during winter 2018 to assist with the growing demand for field space; and

WHEREAS, in the winter 2018 season growth is expected at the 11-13 year old Major's Division with the hopes of building this Division and essentially creating a Middle School League to be a feeder program for the Miami Beach Senior High Baseball Program; and

WHEREAS, currently the Danny Berry Baseball Program and the City of Miami Beach have entered into a Professional Services Agreement which began on January 1st 2018 and ends on May 31, 2018 (Exhibit A) which includes:

- In consideration for the services provided, Danny Berry is compensated on a fixed fee basis, in a total amount not to exceed $35,100.00;
- The City pays Danny Berry a management fee of $1,250.00 per individual baseball team, not to exceed 26 teams;
- In addition to the Management fee, Danny Berry is paid a Clinic Fee of $100.00 per baseball clinic conducted, at a maximum of one (1) clinic per team during the term of the Agreement; and

WHEREAS, the Department has already paid Danny Berry Baseball approximately $25,000.00 at the start of the current Fiscal Year for fall programming; which will exceed the City Manager's $50,000 approval authority in a fiscal year for Professional Services Agreements; and

WHEREAS, the Administration desires to establish a three (3) year agreement, with two (2) additional one-year renewal options, with the Danny Berry Baseball program, beginning on August 1st 2018 (Exhibit B) and this will require a waiver of bid by the City Commission; and

WHEREAS, the compensation will continue to be on the fixed fee basis of $1,250.00 per individual baseball team, not to exceed a total of $70,200.00 annually; and delegating to the City Manager the authority to enter into amendments for additional City funding based on the future growth of the program, in an amount not to exceed $25,000; and

WHEREAS, this initial total will fund up to 26 teams per season and in addition, the Contractor shall be paid a Clinic Fee of $100.00 per baseball clinic conducted, at a maximum of one (1) clinic per team during the term of the Agreement; and

WHEREAS, at the February 21, 2018 Neighborhood/Community Affairs Committee ("NCAC") meeting, the NCAC supported the Administration's recommendation to waive bids for Danny Berry's Baseball Camp's Youth Baseball Program, and further, the NCAC directed the Administration to engage Dover, Kohl and Partners to include a study analyzing the possibility of including a Little League Baseball field on the West Lots; and

WHEREAS, at the February 23, 2018 Finance and Citywide Projects Committee ("Finance Committee") meeting, the Finance Committee supported the Administration's recommendation to waive bids for Danny Berry's Baseball Camp's Youth Baseball Program; and

WHEREAS, the City Manager recommends the waiver of bids for Danny Berry's Baseball Camp's Youth Baseball Program as being in the City's best interests, due to the success, popularity with the community and undeniable growth of the program; and

WHEREAS, based upon the foregoing and as permitted under Section 2-367(e) of the City Code, the City Manager recommends that the Mayor and City Commission waive, by a 5/7ths vote, the formal competitive bidding requirement, and find that such waiver is in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that Mayor and City Commission hereby accept the recommendation of the Neighborhood/Community Affairs Committee at its February 21, 2018 meeting and the Finance and Citywide Projects Committee at its February 23, 2018 meeting and waive, by 5/7th vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, and approve and authorize the City Manager to execute an agreement between the City and Danny Berry's Baseball Camp, Inc., for youth baseball programming, for a period of three (3) years, with two (2) additional one-year renewal options, in an amount not to exceed $70,200.00 annually, subject to final negotiation of the agreement by the Administration, and legal review and form approval of the final negotiated agreement by the City Attorney; delegate to the City Manager the authority to execute amendments to the agreement for additional programming (based on future growth of the program), with such amendments not-to-exceed a total of $25,000; and further, accept the February 21, 2018 recommendation of the Neighborhood/Community Affairs Committee for the Administration to engage Dover, Kohl and Partners to include a study analyzing the possible inclusion of a Little League Baseball field on the West Lots.

PASSED AND ADOPTED this 7th day of March, 2018.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney RAP 2-27-18 Date

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney Date