



ITEM SUMMARY

MEETING DATE: October 2, 2023

FROM: Michele Thompson, Community & Recreation Services Director

SUBJECT: RESOLUTION NO. 2023 – 49 APPROVING THE RECOGNIZED SPORTS PROVIDER AGREEMENT WITH FLORIDA VIPERS, INC.

BACKGROUND

In an effort to maintain levels of service and maximize efficiency the CRS Department entered in an Independent Contractor Agreement on November 1, 2022 with Florida Vipers, Inc., a Florida not-for-profit corporation established in 2017, to facilitate the City's FY23 Basketball League. The CRS Department has been extremely satisfied with this service provider and wishes to execute a Recognized Sports Provider Agreement with FL Vipers, Inc. to facilitate the City's Youth Basketball league, skills clinics, and summer sports camp programs.

ANALYSIS

Pursuant to the agreement, FL Vipers, Inc. responsibilities include:

- Facilitate the City's Basketball programs; provide personnel to professionally facilitate the City's Basketball programs; conduct Level II background checks on personnel and coaches.
- List the City as an "Additional Insured" on the Certificate of Insurance.
- Obtain sponsors and grants to expand the program services, as applicable.
- Adopt and promote the City's Coaching Incentive policy; the City's Employee discount program; and the City's Athletic Scholarship program.

The City's responsibilities include:

- Execute the agreement; collect fees; register participants; monitor compliance.
- Advertise and promote programs.
- Provide and maintain facilities; classroom, gym, outdoor basketball courts, IVB North field.
- Promote and process athletic scholarships.
- Process payment to Contractor; process any required refunds to participants.

The agreement will be for a one (1) year term, with three (3) additional one (1) year annual renewable terms upon satisfactory performance and mutual written consent from both parties.

FINANCIAL INFORMATION

Under the terms of the agreement, the City will pay FL Viper's a fixed rate of \$14,300 for the Winter/Summer Leagues and seventy percent (70%) of the total revenue received for the Skill Development Program & Sports Camp. Any additional programs or services may be coordinated by Florida Vipers, Inc. through sponsorships and grants that they write and receive.

LEGAL

Resolution No. 2023-49 has been prepared in accordance with the applicable requirements outlined in the City Code, City's Administrative Directive #45, and due diligence on behalf of the CRS Department. The CRS Department requests the City Council to waive the requirement for competitive selection in the Procurement Code and approve the agreement. The section of the Procurement Code states; Sec. 2-213 – Waiver of Competitive Selection.

The City Council may waive all or specific provisions of this procurement code if it finds that it is in the best interest to do so, and that the waiver of any competitive solicitation requirements will not inure to the financial disadvantage of the city. In no case competitive solicitation requirements, be waived where said waiver would constitute a violation of state or federal law or grant requirement.

Approving the agreement and waiving the competitive selection requirements will not constitute a violation of state or federal law. Furthermore, the Agreement is not funded by any City awarded grant funds.

STAFF RECOMMENDATION

The CRS Department recommends the City Council waive the competitive selection requirements of the City's Procurement Code and requests approval of Resolution No. 2023-49 authorizing the execution of the FY24 Recognized Sports Provider agreement with Florida Vipers, Inc.