



City of Coral Gables
CITY COMMISSION MEETING
August 27, 2024

ITEM TITLE:

Resolution. A Resolution of the City Commission of the City of Coral Gables, Florida waiving the competitive process of the Procurement Code pursuant to Section 2-501(D) of the City Code authorizing a five (5)-year License Agreement between the City of Coral Gables and Bonjour Express Coral Gables, LLC for the operation of the Le Parc Café at the Coral Gables Golf and Country Club.

STAFF RECOMMENDATION:

Approval.

BRIEF HISTORY:

On October 11, 2023, pursuant to Resolution 2023-292, the City Commission waived the competitive process and authorized the City Manager and the City Attorney to negotiate a 90-day License Agreement with a Licensee to provide food and beverage services at Coral Gables Golf and Country Club Le Parc Café, which includes the Café Area and Shared Space (the “Premises”).

On November 21, 2023, pursuant to Resolution 2023-292, the City of Coral Gables (the “Licensor”) entered into a License Agreement with Bonjour, LLC for ninety (90) days (11/27/23-2/27/24) to provide food and beverage services at the Premises. Under the same terms and conditions of the License Agreement, and pursuant to the authority granted by the City Commission in Resolution No. 2023-292, No. 2024-103, and No. 2024-131, the Licensor and Bonjour, LLC executed a First, Second, and Third Amendment to the License Agreement extending the term of the through August 27, 2024.

During the License Agreement extensions, Licensor conducted negotiations with Bonjour Express Coral Gables, LLC (the “Licensee”), a Florida limited liability company, with the same ownership as Bonjour, LLC, created by the owners to provide food and beverage services at the Premises, and agreed on terms and conditions for a five-year License Agreement (8/28/24-8/27/29) (the “Agreement”) as follows:

Term: August 28, 2024 - August 27, 2029

Renewal: One (1) additional, five-year renewal option, at the City’s discretion, requiring City Commission approval.

Termination for Convenience: A 120-day termination for convenience available to both Licensor and Licensee by providing notice accordingly.

License Fee due to Licensee:

- 85% of monthly gross revenues, less taxes, less 85% of the cost of the alcoholic beverages purchased by the Licensor and sold by Licensee on the Licensor’s behalf.
- 100% of the gratuities.

Additional Display Case: Licensee will purchase an additional display case for the front area of the Premises and will be responsible for its maintenance and/or repairs.

Licensor’s Maintenance/Operational Responsibilities: Utility charges, dishwasher lease, hood and interceptor system maintenance, pest control, and City-owned kitchen, front of the house, and refrigeration equipment.

Licensee Maintenance/Operational Responsibilities: Selecting, training, and employing employees and/or independent contractors, to procure, prepare, and provide prepared and prepackaged food and beverage service; proportionate share of any taxes levied against the Country Club property; Janitorial Services and a bi-annual deep cleaning for the Café Area and Shared Space.

Licensee Insurance Requirements: Licensor’s standard insurance requirements for general liability, workers compensation, automobile liability, liquor liability, and property insurance.

Hours of Operation: Monday-Saturday 7:00 AM- 8:00 PM, Sunday 8:00 AM-6:00 PM.

Marketing and Social Media: Licensee shall actively engage in continuous collaborative marketing efforts with the Licensor that shall include social media accounts. The Licensee will work with Licensor to ensure that all published content and direct messages are recorded via ArchiveSocial to remain compliant with public record laws.

The proposed Resolution waives the competitive process of the Procurement Code pursuant to Section 2-501(d) and approves the License Agreement for five (5) years August 28, 2024-August 27, 2029.

LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
10/11/2023	Resolution No. 2023-292	Authorization to Negotiate
05/21/24	Resolution No. 2024-103	Approval Second Amendment
06/11/24	Resolution No. 2024-131	Approval Third Amendment

FINANCIAL INFORMATION:

No.	Amount	Account No.	Source of Funds
1.	TBD		General Fund Revenue
Total:	TBD		

Fiscal Impact: The General Fund will continue to receive TBD funds resulting from the License Agreement Revenue Sharing.

ATTACHMENT(S):

1. Draft Resolution
2. License Agreement 08.28.24-08.27.29
3. License Agreement 11.21.23
4. First Amendment 02.27.24-05.27.24
5. Second Amendment 05.24.24-06.27.24
6. Third Amendment 06.27.24-08.27.24