

Agenda Item # C - 5

VILLAGE OF ROYAL PALM BEACH

Agenda Item Summary

**AGENDA ITEM:** Approval and authorization for the Village Manager to execute the “Third Addendum to Food and Beverage Services Agreement” between the Village and Seeds Café, LLC, to provide for the second one (1) year renewal term beginning October 1, 2023 and ending October 1, 2024.

**ISSUE:** The Third Addendum renews and extends the existing agreement for the second one (1) year renewal period beginning October 1, 2023 and ending October 1, 2024 with no additional changes to the terms or conditions of the Agreement as stated therein.

**RECOMMENDED ACTION:** Staff recommends approval.

<b>Initiator:</b>	<b>Village Manager</b>	<b>Agenda</b>	<b>Village Council</b>
<b>Director of Parks</b>	<b>Approval:</b>	<b>Date:</b>	<b>Action:</b>
<b>And Recreation</b>		<b>8/17/23</b>	

### **THIRD ADDENDUM TO FOOD AND BEVERAGE SERVICES AGREEMENT**

THIS THIRD ADDENDUM TO FOOD AND BEVERAGE SERVICES AGREEMENT (“Third Addendum”) is hereby entered into this \_\_\_\_ day of August, 2023, effective October 1, 2023, by and between the Village of Royal Palm Beach, a municipal corporation, (“Village”) having its principal office located at 1050 Royal Palm Beach Boulevard, Royal Palm Beach, Florida, 33411; and Seeds Café, LLC, a Florida profit corporation having its principal place of business address at 160 Parkwood Drive, Royal Palm Beach, Florida, 33411 (“Consultant”).

WHEREAS, the Village and Consultant entered into a Food and Beverage Services Agreement (“Agreement”) on September 11, 2020 with an initial term expiring on September 30, 2022; and

WHEREAS, the Agreement provides that the Village has the option of extending the Agreement for four (4) additional one-year periods on the same terms and conditions, with such extension required to be in the form of a written amendment to the Agreement executed by both parties; and

WHEREAS, the Village and Consultant entered into a First Addendum to Food and Beverage Services Agreement (“First Addendum”) on December 29, 2021 to postpone the start date of the Agreement; and

WHEREAS, the Village and Consultant entered into a Second Addendum to Food and Beverage Services Agreement (“Second Addendum”) on September 20, 2022 to provide the first one-year renewal extending the term of the Agreement to run from October 1, 2022 until October 1, 2023; and

WHEREAS, the Village and Consultant desire to renew the Agreement for the second one-year renewal term.

NOW, THEREFORE, and in consideration of mutual terms, conditions, promises, covenants and payments hereinafter set forth, the Village and Consultant agree as follows:

Section 1: The above-referenced Agreement is renewed such that it shall run from October 1, 2023 until October 1, 2024. This is the second renewal of the Agreement as permitted by the provisions of the Agreement at Section 1.

Section 2: All other Sections and recitals of the above-referenced Agreement shall remain in full force and effect.

Section 3: This Third Addendum shall be attached to the current Agreement and shall become a part thereof.

**[SIGNATURE PAGES BELOW]**

IN WITNESS WHEREOF, the parties have executed this Third Addendum on the date set forth above.

WITNESSES:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

**SEEDS CAFÉ, LLC**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

WITNESSES:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

**VILLAGE OF ROYAL PALM BEACH**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_