

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-321**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER, THE FACILITIES
8 MANAGEMENT CONTRACT BETWEEN SMG ("SMG"), A
9 SUBSIDIARY OF ASM GLOBAL, INC., AND THE CITY OF
10 JACKSONVILLE (CITY), THE INITIAL TERM OF WHICH
11 SHALL RUN FROM OCTOBER 1, 2022, THROUGH
12 SEPTEMBER 30, 2027, WITH THE CITY HAVING THE
13 UNILATERAL OPTION TO EXTEND THE CONTRACT ON THE
14 SAME TERMS AND CONDITIONS FOR ONE (1) FIVE-YEAR
15 RENEWAL PERIOD; PROVIDING FOR TERMINATION OF THE
16 CURRENT FACILITIES MANAGEMENT AGREEMENT BETWEEN
17 SMG AND THE CITY; INVOKING THE EXCEPTION OF
18 126.107(G) (EXEMPTIONS), PART 1 (GENERAL
19 REGULATIONS), CHAPTER 126 (PROCUREMENT CODE),
20 *ORDINANCE CODE*, FOR DIRECT CONTRACT FOR PROGRAM
21 SERVICES AND MANAGEMENT SERVICES WITH SMG;
22 PROVIDING FOR CITY OVERSIGHT BY THE SPORTS &
23 ENTERTAINMENT OFFICE; PROVIDING AN EFFECTIVE
24 DATE.

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26 **BE IT ORDAINED** by the Council of the City of Jacksonville:

27 **Section 1. Facilities Management Contract approved and**
28 **execution authorized.** There is hereby approved, and the Mayor, or
29 his designee, and Corporation Secretary are hereby authorized to
30 execute and deliver, the Facilities Management Contract between SMG
31 and the City of Jacksonville (City), in substantially the same form

1 placed **On File** with the Office of Legislative Services (the
2 "Contract"). The initial term of the Contract runs from October 1,
3 2022, through September 30, 2027. The City has the unilateral option
4 to extend the Contract on the same terms and conditions for one (1)
5 additional, consecutive five-year renewal period. The current
6 agreement between SMG and the City for management of the facilities
7 shall be terminated upon the Effective Date of the Contract.

8 **Section 2. Invoking the exception in Sec. 126.107(g), Ordinance**
9 **Code.** The City is hereby authorized to procure both the program
10 services and the management services of SMG. Pursuant to Section
11 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
12 (Procurement Code), *Ordinance Code*, such procurement is exempted from
13 competitive solicitation because the supplies or services are to be
14 provided by those specifically prescribed within authorizing
15 legislation that appropriates the same. With the exception of the
16 foregoing, all other provisions of Chapter 126, *Ordinance Code*, shall
17 remain in full force and effect.

18 **Section 3. Oversight.** The Sports & Entertainment
19 Office shall provide oversight of the Contract.

20 **Section 4. Effective Date.** This ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

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24 Form Approved:

25
26 /s/ John Sawyer

27 Office of General Counsel

28 Legislation prepared by John Sawyer

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