

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO TERMINATE THE CONCESSION AGREEMENT DATED MARCH 14, 2024, BETWEEN THE CITY OF MIAMI BEACH AND POSEIDON FERRY LLC (POSEIDON) DUE TO POSEIDON'S MATERIAL DEFAULT.

WHEREAS, the City of Miami Beach entered into a concession agreement with Poseidon Ferry LLC ("Poseidon") on March 14, 2024 (the "Concession Agreement"), to provide a water taxi service between the Purdy Avenue Dock located at the Maurice Gibb Memorial Park in Miami Beach and the Sea Isle Marina in Downtown Miami; and

WHEREAS, the Concession Agreement requires Poseidon to meet specific performance standards and obligations to ensure reliable and efficient ferry services for the residents and visitors of Miami Beach, including specific hours of operation; and

WHEREAS, Poseidon ceased to provide ferry services following the 8:00am departure from Sea Isle Marina on July 10, 2024 due to mechanical problems with the vessel and notified the City that it would not resume operations until Monday, July 15, 2024; and

WHEREAS, the failure of Poseidon to operate the water taxi service for more than two (2) continuous days constitutes a material default under the Concession Agreement; and

WHEREAS, Poseidon has otherwise failed to meet the performance standards expected of a City concessionaire as outlined in the Concession Agreement, resulting in unsatisfactory service and complaints from the public; and

WHEREAS, the Mayor and City Commission find it in the best interest of the City and its residents to terminate the concession agreement with Poseidon and seek alternative solutions for providing ferry services,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the Administration to terminate the Concession Agreement dated March 14, 2024 between the City of Miami Beach and Poseidon Ferry LLC ("Poseidon") due to Poseidon's material default.

PASSED AND ADOPTED this ____ day of July, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioners Alex J. Fernandez and David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

7/16/2024
Date