

MEMORANDUM


February 13, 2018

TO: City Commission

THRU: Greg Harrison, City Manager
Brian Donovan, Assistant City Manager

FROM: Horacio Danovich, CIP Manager

RE: Irrevocable Licensing Agreement



Issue

Staff is seeking City Commission approval of a Resolution to enter into an Irrevocable License Agreement with Dennis Friel Art Studios ("DFAS"). This agreement has no additional compensation. DFAS' services are included in the Guaranteed Maximum Price (GMP) agreement entered into with Burkhardt Construction, Inc. (BCI) for construction services related to the Atlantic Boulevard Bridge improvements project.

Recommendation

Staff recommends Approval of the Resolution.

Background

Previously, the City Commission approved Resolution 2017-258 and executed a Community Aesthetic Feature Agreement (CAFA) between the City and the Florida Department of Transportation ("FDOT"). The agreement allows the City to proceed with the installation of "Guy Harvey Composite Aluminum Murals" affixed to the bridge's facade.

BCI hired DFAS to design the murals. DFAS requires a Copyright Licensing Agreement relating to the license of Visual Art Work ("Work") created by the artist. Staff agrees with said conditions and recommends proceeding with the agreement.