

# AUTHORIZATION FORM

**Originator:**

Name Joel Burzynski      Department Finance      Ext. 7153      Date 5-20-25

**Description of Request:** BW2025-005 License Agreement for Use of City Dock

Department Leave Form ☐ Check Request Form ☐ Acquisition Approval ☐

Budget Transfer ☐ Grant Item ☐ Memorandum Service Authorization Approval ☐

☐ Other (Please Specify) For Review and approval by City Manager

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Chief Procurement Officer: Eugene Pittaker

Department Head Signature: Henry Dachowitz

Henry Dachowitz (May 21, 2025 20:29 EDT)

Finance Signature:(if request impacts budget) \_\_\_\_\_

**Review Completed by Staff – Comments:**

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☐ RETURN TO ORIGINATOR FOR ADDITIONAL COMMENTS

☐ APPROVED FOR Chief Procurement Officer

**TRACKING:**

Returned to \_\_\_\_\_ Department for additional information on: \_\_\_\_\_

Forwarded to \_\_\_\_\_ Department for action on: \_\_\_\_\_



## **MEMORANDUM BID WAIVER ACQUISITION APPROVAL**

**DATE:** May 8, 2025  
**TO:** Terrence R. Moore, ICMA-CM, City Manager  
**THRU:** Henry Dachowitz, Chief Financial Officer  
**FROM:** Sam Metott, Director of Parks and Recreation  
**SUBJECT:** Bid Waiver – Delray Yacht Cruises

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### **Background**

Delray Yacht Cruises, operating the Lady Atlantic, has been a cornerstone of Delray Beach's waterfront tourism since 2003. Docked at Veterans Park, the Lady Atlantic offers narrated sightseeing, lunch and dinner cruises, and private charters. These offerings not only provide a unique experience for residents and visitors but also contribute significantly to the local economy by attracting thousands of guests annually. Additionally, the company supports community engagement by providing free excursions to summer camp students and seniors participating in Delray Beach programs.

### **Justification**

#### **1. Established Community Presence and Economic Impact**

Delray Yacht Cruises has been a consistent and reliable operator in Delray Beach for over two decades. Their operations generate significant foot traffic to downtown Delray Beach, benefiting local businesses and enhancing the city's reputation as a premier tourist destination. The Lady Atlantic's offerings, including seasonal and specialty cruises, provide residents and visitors with memorable experiences that are unique to Delray Beach.

#### **2. Operational Challenges and Business Continuity**

Since the 2018 award of RFP No. 2018-031, Delray Yacht Cruises has faced several unforeseen challenges:

- **Seawall Reconstruction:** The extensive seawall construction at Veterans Park temporarily disrupted docking and access, affecting operations.
- **COVID-19 Pandemic:** The pandemic led to lockdowns and restrictions, significantly reducing cruise capacities and revenues.
- **Fire Incident:** In April 2023, the Lady Delray suffered extensive fire damage, requiring significant repairs. While the Lady Atlantic sustained minor heat damage, the incident highlighted the vulnerability of the business to unforeseen events.

These challenges underscore the importance of stability in contractual agreements to ensure business continuity and protect the city's interests.

3. Advance Booking Requirements

The nature of the event and cruise industry necessitates advance bookings, often up to a year in advance. Frequent re-bidding of contracts could jeopardize existing reservations, leading to potential revenue losses and customer dissatisfaction. A contract extension would provide the necessary stability for Delray Yacht Cruises to honor future commitments and plan effectively.

4. Support for Community Engagement

Delray Yacht Cruises actively contributes to the community by offering free excursions to summer camp students and seniors involved in Delray Beach programs. This commitment to community engagement aligns with the city's values and enhances its reputation as a community-focused destination.

**Market Research**

Given Delray Yacht Cruises' long-standing presence, economic contributions, and commitment to community engagement, extending their contract through a bid waiver is in the best interest of the City of Delray Beach. This extension would provide the necessary stability for the business to recover from past challenges and continue to contribute positively to the city's economy and community.

☐ Need Additional Information

☐ Not Approved

Comments: \_\_\_\_\_  
\_\_\_\_\_



Approved

This Bid Waiver approval is valid for three (3) years with two (2) one year renewal options.



Henry Dachowitz (May 21, 2025 20:29 EDT)

May 21, 2025

Chief Financial Officer

Date



May 22, 2025

City Manager

Date











# BW2025-005 License Agreement for Use of City Dock

Final Audit Report

2025-05-22

Created:	2025-05-20
By:	Joel Burzynski (burzynskij@mydelraybeach.com)
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## "BW2025-005 License Agreement for Use of City Dock" History

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