



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: March 19, 2013

TITLE: Acceptance of Unsolicited Proposals

Periodically, the City receives unsolicited proposals from developers and contractors who may have a very new and unique idea, which does not generally conform to the normal process of Requests for Proposals or Invitation to Bids. A good example of this is the unsolicited proposal received by the City from International Business Machines (IBM) for the First of its Kind Agreement (FOAK).

We have attached a draft amendment to the Purchasing Ordinance which would establish processes and procedures for the receipt, review, acceptance and rejection of unsolicited proposals.

Key points of the draft ordinance include:

- The City shall require a processing fee of \$25,000
- The City Manager may either accept for publication or reject an unsolicited proposal within 90 days
- The Commission shall ratify any rejection of a proposal
- If a proposal is accepted by the City Manager, he shall cause to be published a notice of receipt on the City's website and in a newspaper of general circulation, and will accept alternative proposals for a minimum of 21 days.
- If additional proposals are received, the City Manager shall evaluate and rank the proposals received in accordance with the published evaluation criteria. The Manager's ranking shall be subject to ratification by the City Commission.
The City Manager shall negotiate with the top ranked proposer

It is recommended that the City Commission indicate by consensus whether the Finance staff and the City Attorney's Office should prepare a proposed unsolicited proposal amendment to the Purchasing Ordinance.

Resource Impact:

There is no fiscal impact to the City.

Attachment
Exhibit 1 – Draft Ordinance

Prepared by: Kirk W. Buffington, Deputy Director of Finance
Carrie Keohane, Administrative Assistant I

Department Director: Douglas R. Wood, Finance