



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
CONFERENCE MEETING

#23-1028

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

FROM: D'Wayne M. Spence, Interim City Attorney

DATE: October 17, 2023

TITLE: Presentation - Public-Private Partnerships Draft Ordinance
(Commission Districts 1,2, 3 and 4)

In 2013, the Florida Legislature passed HB 85 authorizing public-private partnerships for certain purposes and establishing requirements for such partnerships. Public-private partnerships are contractual agreements formed between public entities and private sector entities to allow for greater private sector participation in the delivery and financing of public building and infrastructure projects. The legislation is codified in Florida Statute § 255.065.

On February 7, 2023, the City Attorney's Office provided the City Commission with an overview of Florida Statute § 255.065, (See Exhibit 2), and was requested to provide a draft ordinance for the consideration of the City Commission. Attached is a draft ordinance that proposes to amend the City of Fort Lauderdale Procurement Code to add a procedure for public private partnerships. Some of the features of the ordinance are:

- The ability to solicit public-private partnerships through competitive sealed bid, competitive sealed proposal, or competitive negotiation methods;
- Evaluation of long-term financing by the Department of Finance for both solicited and unsolicited proposals;
- Public notice for both solicited and unsolicited proposals;
- Pre-proposal conference for both solicited and unsolicited proposals;
- Processes for recommendation or rejection by the city manager for both solicited and unsolicited proposals;
- Award by the City Commission for both solicited and unsolicited proposals; and
- Initial review of unsolicited proposals by the City Manager with an option to reject them without a formal evaluation.

The purpose of this item is to obtain feedback from the City Commission before further outreach is conducted and a final draft presented to the City Commission for adoption.

Attachments

Exhibit 1 – Florida Statute § 255.065

Exhibit 2 – Overview of Florida Statute §255.065 “Public-private partnerships” PowerPoint Presentation

Exhibit 3 – Public-Private Partnerships Draft Ordinance

Prepared by: D'Wayne M. Spence, Interim City Attorney

Charter Officer: D'Wayne M. Spence, Interim City Attorney