



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#17-0526

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: September 6, 2017

TITLE: Ordinance Repealing Division 2, - Purchasing, of Article V. – Finance, of Chapter 2 – Administration, of the Code of Ordinances of the City of Fort Lauderdale, Florida, and Creating a New Division 2. – Procurement, of Article V. – Finance of Chapter 2 – Administration of the Code of Ordinances of the City of Fort Lauderdale, Repealing Section 2-125.1. – Design/Build Contracts, and Section 2-127. – Approval of Change Orders and Task Orders, of the Code of Ordinances of the City of Fort Lauderdale, Florida

Recommendation

It is recommended that the City Commission approve an ordinance repealing Division 2, - Purchasing, of Article V. – Finance, of Chapter 2 – Administration, of the Code of Ordinances of the City of Fort Lauderdale, Florida, and creating a new Division 2. – Procurement, of Article V. – Finance of Chapter 2 – Administration of the Code of Ordinances of the City of Fort Lauderdale, repealing Section 2-125.1. – Design/Build Contracts, and Section 2-127. – Approval of Change Orders and Task Orders, of the Code of Ordinances of the City of Fort Lauderdale, Florida.

Background

This ordinance was presented on first reading at the City Commission meeting of August 22, 2017. The City Commission requested the following changes be made, which have been incorporated into the ordinance for second reading:

- Deleted Section 2-178 (d) in its entirety. This section allowed City Attorney and City Clerk purchasing authority to \$25,000.
- Created new Section 2-187- Non-Discrimination by City Contractors, which adds non-discrimination language including gender identity and sexual orientation and adding a contractor certification requirement.

As part of the FY 2016 Commission Annual Action Plan (CAAP), procurement reform was identified as a top priority. The City contracted with Periscope Holdings, Inc. to conduct an in-depth review of the City's procurement and contracting functions. Findings enumerated in the final report recommended the development of a new

Procurement Ordinance and Procurement Manual to include best practices and enhancements designed to improve the City's procurement system, streamline the procurement process, and incorporate recommendations from the report.

To improve the procurement process, City staff recommends replacing the Purchasing Code to implement best practices and enhancements as outlined in the report. The new Ordinance will maximize the efficiencies of limited staff resources in the Procurement Services Division, while maintaining the following policies and procedures:

- Commission award approval thresholds remain unchanged
- Local Preference policy remains unchanged
- Minority/Women-Owned Business policy remains unchanged
- Bid Protest procedure remains unchanged with an increase to proposed fees to defray the administrative cost associated with administering the protest process
- Execution authority for contracts remain unchanged

Among the enhancements included in the proposed Ordinance:

- Maximizing the City's ability to negotiate contract pricing and terms
- Defining parameters for determining vendor responsibility, suspension and debarment
- Expanding solicitation methods for use in City procurement, including:
 - Requests for Proposals
 - Requests for Qualifications
 - Invitations to Negotiate
 - Job Order Contracting
 - Invitations to Bid
 - Piggybacking/accessing another entity's competitive contract
- Authorizing and implementing Procurement Manual
- Authorizing the standardization of solicitation and contract documents

Since 2015, Procurement Division workloads have increased dramatically, demonstrated by a 247% increase in the value of contract awards processed by the Division. The recommendations enumerated in the report are specifically designed to address the workloads experienced within the City's Procurement Services Division of the Finance Department while ensuring excellent service to Community Builders and Neighbors alike. Proper alignment of resources and policies is essential to ensuring City goals and projects are met, while ensuring proper safeguarding of public funds.

Resource Impact

There is no fiscal year impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Internal Support Cylinder of Excellence, specifically advancing:

- Goal 12: Be a leading government organization, managing resources wisely and sustainably.
- Objective 1: Ensure sound fiscal management.
- Objective 2: Achieve excellent procurement services through technological advancements, improved procedures and outreach programs.

This item also furthers the *Fast Forward Fort Lauderdale 2035 Vision Plan: We are United*.

Attachment

Exhibit 1 – Ordinance – Second Reading

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