

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE COMPETITIVE SOLICITATION AND SELECTION PROCESSES CONTAINED IN THE CITY OF FORT LAUDERDALE PROCUREMENT ORDINANCE FOR PROCURING THE REPLACEMENT OF AN EXISTING CITY-OWNED SEAWALL, AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, on June 21, 2016, the City Commission of the City of Fort Lauderdale adopted Resolution 16-102 declaring its intent to lease City-owned property known as the Las Olas Marina located at 240 East Las Olas Circle and a portion of the Las Olas Intracoastal Parking Lot located at 201 South Birch Road, both properties commonly known as the Las Olas Marina ("Marina"); and

WHEREAS, on October 5, 2016, the City Commission approved Resolution No. 16-175 awarding the Las Olas Marina Lease to Suntex Marina Investors LLC ("Suntex"); and

WHEREAS, on October 18, 2016, the City Commission of the City of Fort Lauderdale approved Resolution No. 16-180 authorizing the negotiation of the lease and approval of Alternative C-3 Proposal from the Suntex bid package; and

WHEREAS, on July 11, 2017, the City Commission of the City of Fort Lauderdale adopted Resolution No. 17-154 approving the ground lease with Suntex for a 50-year term; and

WHEREAS, the Las Olas Marina Project has a seawall that is being replaced as part of the development. Suntex is responsible for the seawall within the demised premises and the City of Fort Lauderdale ("City") is responsible for the seawall section outside of the demised premises; and

WHEREAS, it is recommended that the City replace its portion of the seawall at the same time; and

WHEREAS, City staff recommends waiving the procurement rules to allow Las Olas SMI, LLC to serve as the overall project manager to ensure a cohesive and timely implementation and incorporate the project in the larger development effort; and

WHEREAS, pursuant to Section 2-176(e)(17), Code of Ordinances of the City of Fort Lauderdale, Florida, the competitive solicitation, and solicitation processes do not apply to “[p]urchases of goods or services for which the provisions of this article are waived by the city commission by resolution.”;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the competitive solicitation and selection processes contained in the City of Fort Lauderdale Procurement Ordinance are waived for procuring to allow Las Olas SMI, LLC to serve as the overall project manager to ensure a cohesive and timely implementation and incorporate the project in the larger development effort.

SECTION 2. That this Resolution shall be in full force and effect upon final passage and adoption.

ADOPTED this 9<sup>th</sup> day of January, 2024.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM AND  
CORRECTNESS:

\_\_\_\_\_  
City Attorney  
THOMAS J. ANSBRO

Dean J. Trantalis \_\_\_\_\_

John C. Herbst \_\_\_\_\_

Steven Glassman \_\_\_\_\_

Pamela Beasley-Pittman \_\_\_\_\_

Warren Sturman \_\_\_\_\_