

ORDINANCE NO. C-15-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 2-199 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO MODIFY THE PROCEDURE FOR THE PURCHASE OF INSURANCE AND INSURANCE-RELATED SERVICES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, it would be in the City's best interest to modify the procedure for the purchase of insurance and insurance-related services,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. Section 2-199 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

The purchase of insurance and such insurance-related services as consulting, ~~self-funding~~actuarial, and claims administration shall be accomplished in the following manner:

- (1) ~~Authority to bid or negotiate~~Negotiation. The eCity shall procure insurance ~~or such insurance-related services as consulting, self-funding and claims administration~~, as may be needed from time to time, ~~by either formal bid procedure or by~~through the negotiation process established in this section. The method of the procurement of insurance ~~or insurance-related services~~ shall be on a ~~competitive bid~~negotiation basis, except for those situations where the commission, after consideration of the conditions prevailing in the insurance market, finds that the negotiation process would be more favorable to the interests of the city bid process is required by law. To negotiate the purchase of insurance, the following procedure must be followed:
 - a. As directed by the Risk Manager or the Risk Manager's designee, the City's contracted agent shall distribute specifications for insurance and conduct negotiations with

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those interested insurance companies or their appointed agents.

b. Those interested insurance companies shall submit proposals for furnishing the insurance sought by the City and those proposals will be evaluated by the person, persons or committee so designated by the City Manager.

c. The Risk Manager or the Risk Manager's designee shall submit recommendations and evaluations of the proposals submitted by the insurance companies with which negotiations were conducted and shall submit recommendations as to the award of a contract and reasons therefore to the City Commission. The City Commission shall, by motion, approve a contract with the insurance company which it determines shall best meet the needs of the City.

d. No annual insurance contract secured through negotiation shall be renewed more than twice with the same insurance company without being marketed, except as otherwise approved by the City Commission.

(2) ~~Competitive Negotiation/Bidding. Should the city commission or city manager direct the purchase of insurance or~~The City shall procure insurance-related services, such as consulting, actuarial and claims administration services, as may be needed from time to time, through bidding procedure, then, in that event, the competitive negotiation process bid procedure as specified in section 2-194 or through the bid procedure as specified in section 2-178 of this Code shall be followed.

~~(3) Negotiation. Should the city commission decide to purchase insurance or insurance-related services other than by bid procedure and through negotiation, then the following procedure should be followed:~~

a. ~~The city commission shall, by motion, authorize the city manager or the city manager's designee to conduct negotiations for the purchase of insurance or insurance-related services. The request for such authorization will contain a recommendation by~~

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~~the risk manager as to whether the negotiations should be conducted with all available markets or only with the current vendor, depending on conditions prevailing in the insurance market.~~

- ~~b. Upon passage of the motion aforementioned, the risk manager shall prepare and submit to the city manager or the city manager's designee the specifications for the insurance or insurance-related services to be purchased.~~
- ~~c. Notice of the city's intent to negotiate for the purchase of insurance or insurance-related services shall be posted by the city clerk or the city clerk's designee in the location at Fort Lauderdale City Hall where notices are customarily posted.~~
- ~~d. Specifications will be distributed to interested insurance companies or their appointed agents.~~
- ~~e. The city manager or the city manager's designee shall conduct negotiations with those interested insurance companies or through the appointed agent.~~
- ~~f. Those interested insurance companies shall submit proposals for furnishing the insurance or insurance-related services sought by the city and those proposals will be evaluated by the person, persons or committee so designated by the city manager.~~
- ~~g. The risk manager shall submit recommendations and evaluations of the proposals submitted by the insurance companies with which negotiations were conducted and shall submit recommendations as to the award of a contract and reasons therefore to the city commission. The city commission shall, by motion, approve a contract with the insurance company which it determines shall best meet the needs of the city.~~
- ~~h. No annual insurance contract secured through negotiation shall be renewed more than twice without being marketed, except as otherwise approved by the city commission.~~

~~(4)~~—[Reserved.]

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(53) *Emergency purchase.* In the case of an apparent emergency which requires immediate purchase of insurance or insurance-related services, the eCity eCommission ~~may waive the negotiating procedures established in this section and~~ may award a contract for the purchase of insurance or insurance-related services after such investigation on and upon such terms and conditions as it deems to be in the best interest of the eCity.

SECTION 2. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon its final passage.

PASSED FIRST READING this the ____ day of _____, 2015.

PASSED SECOND READING this the ____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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