



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

#13-1304

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

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: October 1, 2013

TITLE: A Resolution establishing an application fee for unsolicited proposals

Recommendation

It is recommended that the City Commission approve a Resolution establishing an application fee for unsolicited proposals pursuant to Section 287.05712, Florida Statutes (2013).

Background

At the March 19, 2013 Conference Meeting (CAM 13-0351, BUS-5) the City Manager presented a recommendation to amend the Purchasing Ordinance to create a mechanism for the City to accept, review, and evaluate unsolicited proposals. At that time the Commission directed staff to draft an ordinance amendment.

However, during the Legislature's 2013 session, changes were enacted to Section 287.05712, Florida Statutes creating Public-Private Partnerships, including changes which allow a responsible public entity to accept and evaluate unsolicited proposals which the entity may receive. Because of the enactment of these changes, it is no longer necessary for the City to enact its own ordinance regarding unsolicited proposals. However, the statute does allow the City to establish a reasonable application fee, which is sufficient to pay for the costs of evaluating the proposal.

The Resolution will establish an application fee for the submission of an unsolicited proposal to the City of Fort Lauderdale, that fee must be sufficient to pay the costs of evaluating the proposal, including those of a private consultant to assist in the evaluation. The City shall require an initial deposit of \$25,000 toward an application fee. Additional fees may be charged based on the nature of the proposal and the complexity of the review required. The estimated application fee shall be paid prior to the City's further evaluation of the proposal. The City shall refund any portion of the application fee deposit that exceeds the City's costs of evaluating the proposal.

Resource Impact

There is no fiscal impact to the City.

Attachments

Exhibit 1 - Section 287.05712, Florida Statutes

Exhibit 2 – Resolution 13-

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

Department Director: Douglas R. Wood, Finance