



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#22-0101

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

FROM: Alain E. Boileau, City Attorney

DATE: April 5, 2022

TITLE: Resolution Appointing the Law Firm of Nabors Giblin & Nickerson, P.A., as Special Counsel, to Represent the City of Fort Lauderdale in Connection with the Unsolicited Proposal and Project Submitted by IDE Technologies/Ridgewood Infrastructure, or if Necessary any Subsequent-Ranked Proposers, for the Design, Construction, Operation, and Maintenance of a New Water Treatment Plant and Associated Systems for the City's Water Utility, Including any Associated Regulatory and Contractual Matters - **(Commission Districts 1, 2, 3 and 4)**

Recommendation

Due to the complexity and breadth of issues involved in proceeding forward with significant changes to, and the development of, the City's proposed new water treatment plant, system management, and maintenance, through a public-private partnership, the City Attorney recommends that the City Commission adopt a resolution appointing Nabors Giblin & Nickerson, P.A., as special counsel to represent the City of Fort Lauderdale in connection with the unsolicited proposal and project submitted by IDE Technologies/Ridgewood Infrastructure, or if necessary any subsequent-ranked proposers, for the design, construction, operation, and maintenance of a new water treatment plant and associated systems for the City's water utility, including any associated regulatory and contractual matters.

Background

Section 4.10 of the Charter of the City of Fort Lauderdale, Florida, provides, in part, that "[t]he city commission may, by resolution, authorize one (1) or more special counsel to be retained for the purpose of performing such legal duties as may be prescribed by said resolution. Each such resolution shall further prescribe the compensation to be paid the special counsel."

Nabors Giblin & Nickerson, P.A., who has represented the City on other varied legal matters, has helped created some of the State of Florida's most innovative P3 projects, including establishing the relevant law in related areas. From utilities, transportation improvements, multi-purpose developments, convention and hotel facilities, to sports facilities, Nabors Giblin & Nickerson, P.A. is well experienced in representing public

entities in public-private transactions. The Firm has a strong array of attorneys with relevant experience in the foregoing areas, including several former county attorneys, one of the largest public finance practices in Florida, and procurement, contracting, special assessment and litigation expertise as needed.

The law firm of Nabors Giblin & Nickerson, P.A. shall be compensated for such services assigned after the effective date of this Resolution, at the hourly rates of \$300.00 per hour for shareholders and partners, \$200.00 per hour for associates, and \$100.00 per hour for paralegals, to be paid upon the submission of periodic invoices to and approval by the City Attorney.

Resource Impact

Funds for this agreement in the amount of \$100,000.00 are available in the FY 2022 Budget in the account listed below:

<i>Funds available as of March 30, 2022</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
001-ATT010101-3119	City Attorney	Services & Materials/ Legal Services	\$1,022,500	\$642,042	\$100,000
TOTAL AMOUNT ►					\$100,000

Attachment

Exhibit 1 – Resolution

Exhibit 2 – Resume

Prepared by: Alain E. Boileau, City Attorney, City Attorney's Office

Charter Officer: Alain E. Boileau, City Attorney