



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

**#21-0672**

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

**FROM:** Alain E. Boileau, City Attorney

**DATE:** July 6, 2021

**TITLE:** Resolution Authorizing the City Attorney and City Manager, Jointly with the Broward County Administrator and Broward County Attorney, to Select and Negotiate an Engagement Agreement with Outside Counsel to Represent the City and Broward County in Connection with the Joint Government Center Campus Project (JGCC), and to Authorize the City Attorney and City Manager to Execute Such Agreement on Behalf of the City - **(Commission Districts 1, 2, 3 and 4)**

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**Recommendation**

Staff recommends the City Commission authorize the City Attorney and City Manager, jointly with the Broward County Administrator and Broward County Attorney, to select and negotiate an engagement agreement with outside counsel specializing in public-private (P3) projects, to represent the City and the County in connection with the Joint Governmental Center Campus (JGCC) project.

**Background**

At its meeting of December 15, 2020, the Unified Direct Procurement Authority (UDPA) for the development of the JGCC approved the utilization of a public-private partnership (P3) project delivery method for the development of the JGCC. Thereafter, at its January 12, 2021 Regular Meeting, the Broward County Board of Commissioners approved an Agreement between the County and KPMG, LLP ("KPMG") for professional consulting services in a not-to-exceed amount of \$1,200,000. The City, County Administration, and KPMG (the latter based on developer expectations communicated during the market sounding), recommend that the County and City retain outside counsel specializing in P3 projects to provide legal services in connection with the development of the JGCC. At their May 18, 2021 Regular Meeting, the Broward County Board of Commissioners approved a motion authorizing the County Attorney, jointly with the City Attorney or other designee of the City, to select and negotiate an engagement agreement with outside counsel to represent the County and the City in connection with the JGCC, and authorized the County Administrator to execute such agreement on behalf of the County.

The County Attorney's Office has conducted preliminary due diligence based on information provided by KPMG regarding the use of outside counsel on recent P3 projects in the United States, and it is expected to take at least four weeks for the County Attorney's Office and the City Attorney's Office to identify and interview qualified law firms and thereafter negotiate and enter into an engagement agreement with the selected firm.

In order for the interview and selection process to proceed, Broward County Administration and the Broward County Attorney are requesting the City pass a Resolution authorizing the City Attorney and City Manager, jointly with the Broward County Administrator and Broward County Attorney, to select and negotiate an engagement agreement with outside counsel.

### **Resource Impact**

Funds for this agreement in the amount of \$430,000 the City's financial commitment is 43% of the \$1,000,000 estimated costs over two years and \$215,000 are available in the FY 2021 Budget in the account listed below and contingent upon the City Commissions approval of the July 6, 2021, Budget Amendment CAM 21-0096:

<i>Funds available as of 6/24/2021</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 Fees	\$849,211	\$405,696	\$215,000
			<b>TOTAL AMOUNT ►</b>		<b>\$215,000</b>

### **Related CAM**

CAM 21-0096

### **Attachment**

Exhibit 1 – Resolution

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

Charter Officer: Alain E. Boileau, City Attorney