RESOLUTION NO. 21-223

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING NOTICE OF ITS DECISION TO PROCEED WITH THE UNSOLICITED PROPOSAL SUBMITTED BY THE BORING COMPANY FOR THE DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF A PROPOSED SUBSURFACE TUNNEL SYSTEM FROM DOWNTOWN FORT LAUDERDALE TO FORT LAUDERDALE BEACH, AND AUTHORIZING NEGOTIATIONS OF A PROPOSED INTERIM AND / OR COMPREHENSIVE AGREEMENT, IN ACCORDANCE WITH SECTION 255.065, FLORIDA STATUTES (2021), AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 21, 2021, the City of Fort Lauderdale received an unsolicited proposal pursuant to Section 255.065, Florida Statutes (2021), to design, construct, operate, and maintain a subsurface public transportation system connecting downtown Fort Lauderdale with Fort Lauderdale Beach; and

WHEREAS, the proposer submitted the required application fee of $25,000.00 in accordance with Resolution No. 13-187; and

WHEREAS, the City Commission determined that the proposed project would serve a public purpose as a public facility or infrastructure that is used and will be used by the public at large or in support of an accepted public purpose or activity, and constitutes a qualifying project pursuant to Section 255.065, Florida Statutes (2021); and

WHEREAS, the City advertised and accepted other proposals for the same project in accordance with Section 255.065, Florida Statutes, for a period of forty-five (45) days after the initial date of publication, up through and including 5:00 PM, August 30, 2021; and

WHEREAS, prior to the expiration of the forty-five (45) day period, the City received two proposed project submissions, both of which were not accepted because they were deemed non-responsive and were not accompanied by the necessary application fee required by Resolution No. 13-187; and

WHEREAS, the City of Fort Lauderdale intends to enter into a comprehensive agreement for the project proposed in the unsolicited proposal submitted by The Boring Company;

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

SECTION 1. That the City Commission of the City of Fort Lauderdale, pursuant to Section 255.065, Florida Statutes (2021), hereby provides notice of its decision to proceed with the unsolicited proposal submitted by The Boring Company for the design, construction, operation, and maintenance of a proposed subsurface tunnel system from Downtown Fort Lauderdale to Fort Lauderdale Beach.

SECTION 2. That the City Commission of the City of Fort Lauderdale hereby authorizes negotiations for a proposed interim and/or a comprehensive agreement with The Boring Company, in accordance with Section 255.065, Florida Statutes (2021).

SECTION 3. That upon negotiating a proposed interim and/or a comprehensive agreement with The Boring Company, the City Manager will present the proposed agreement to the City Commission for its review and consideration.

SECTION 4. That pursuant to Section 255.065, Florida Statutes (2021), the approval of the qualifying project by the City of Fort Lauderdale is subject to entering into a comprehensive agreement with The Boring Company, and the City of Fort Lauderdale may reject the proposal until such time a comprehensive agreement is executed.

SECTION 5. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this 5th day of October, 2021.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI