

RESOLUTION NO. 22-

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 _____ FOR THE DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF A NEW WATER TREATMENT PLANT AND ASSOCIATED SYSTEMS FOR THE CITY'S WATER UTILITY, AND AUTHORIZING NEGOTIATIONS OF A PROPOSED INTERIM AGREEMENT OR COMPREHENSIVE AGREEMENT OR BOTH, IN ACCORDANCE WITH SECTION 255.065, FLORIDA STATUTES (2021), AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale is the owner and operator of the Charles W. Fiveash Regional Water Treatment Plant and the Walter E. Peele-Dixie Water Treatment Plant, as well as the City's potable water system; and

WHEREAS, on or about December 21, 2020, and May 17, 2021, the City of Fort Lauderdale received two unsolicited proposals, respectively, from IDE Technologies/Ridgewood Infrastructure ("IDE") and SUEZ Water Environmental Services, Inc. ("SUEZ"), pursuant to Section 255.065, Florida Statutes (2021), to design, construct, operate, and maintain a new water treatment plant and associated systems for the City's water utility; and

WHEREAS, pursuant to Resolution No. 21-108, the City advertised and accepted other proposals for the same project in accordance with Section 255.065(3)(b), Florida Statutes (2021), for a period of ninety (90) days after the initial date of publication, up through and including 5:00 PM, September 7, 2021; and

WHEREAS, in response, the City thereafter timely received two additional unsolicited proposals on September 7, 2021 from Aqualia/FCC Construction, Inc. ("Aqualia") and NextSpring Water Investments, Inc./NextEra Water ("NextSpring"), to design, construct, operate, and maintain a new water treatment plant and associated systems for the City's water utility:

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 desires to enter into a comprehensive agreement for the design, construction, operation, and maintenance of a new water treatment plant and associated systems for the City’s water utility.

SECTION 2. That the City Commission of the City of Fort Lauderdale, pursuant to Section 255.065(5)(c), Florida Statutes (2021), has ranked by ballot the unsolicited proposals submitted by IDE, SUEZ, Aqualia, and NextSpring.

SECTION 3. That, as a result of the ranking by ballot, the City Commission of the City of Fort Lauderdale hereby provides notice of its decision to proceed with the unsolicited proposal submitted by _____ for the design, construction, operation, and maintenance of a new water treatment plant and associated systems for the City’s water utility.

SECTION 4. That the City Commission of the City of Fort Lauderdale hereby authorizes negotiations for a proposed interim agreement or a comprehensive agreement, or both with _____, in accordance with Section 255.065, Florida Statutes (2021).

SECTION 5. That, in accordance with Section 255.065(5)(c), Florida Statutes (2021), if the City is not satisfied with the results of the negotiations with _____, the City may terminate negotiations with _____ and negotiate with the second-ranked or subsequent-ranked proposers.

SECTION 6. That upon negotiating a proposed interim and/or a comprehensive agreement, the City Manager will present the proposed agreement to the City Commission for its review and consideration.

SECTION 7. That the approval of the qualifying project by the City of Fort Lauderdale is subject to entering into a comprehensive agreement with _____, or a subsequent-ranked proposer, and the City of Fort Lauderdale may reject any and all proposals until such time as a comprehensive agreement is fully executed.

SECTION 8. That this Resolution shall be in full force and effect upon its adoption.

ADOPTED this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

City Attorney
ALAIN E. BOILEAU

Dean J. Trantalis _____

Heather Moraitis _____

Steven Glassman _____

Robert L. McKinzie _____

Ben Sorensen _____