

RESOLUTION NO. 2022-R-173

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE WAIVER OF THE EVALUATION COMMITTEE PROCEDURES CONTAINED IN SECTION 7-138 OF THE CITY CODE FOR REQUEST FOR PROPOSALS NO. 70-21-22 – IMPROVEMENTS TO CLAUDE PEPPER PARK, RENOVATIONS TO JOE CELESTIN CENTER AND DEVELOPMENT OF ADJACENT VACANT SITE; IN ACCORDANCE WITH SECTION 7-120(B) OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, on August 31, 2022, the City of North Miami (“City”) issued *Request for Proposals (RFP) No. 70-21-22 - Improvements to Claude Pepper Park, Renovations to Joe Celestin Center and Development of Adjacent Vacant Site* soliciting proposals from qualified developers who would be willing and able to make significant improvements to the City’s Claude Pepper Park and Joe Celestin Center (“JCC”) in return for the opportunity to develop a vacant site located next to JCC; and

WHEREAS, the evaluation procedures contained in Section 7-138 of the City Code provide for the establishment of an Evaluation Committee to review proposals received by the City and then submit their recommendations for review by the City Manager, upon approval by the City Manager, the recommendation is then forwarded to the Mayor and City Council for review and approval; and

WHEREAS, given the potential community benefits to be derived from this project, City staff believes that Council is in a unique position to select the best developer for this project; and

WHEREAS, in accordance with Section 7-120(b) of the City of North Miami's Code of Ordinances, the Mayor and City Council may waive any condition imposed by the provisions of the Procurement Code upon a four-fifths vote when it finds such a waiver to be necessary in order to proceed with the issuance of a contract, proposal or bid which is in the best interest of the City; and

WHEREAS, the Mayor and City Council are desirous of conducting the solicitation in an expeditious manner while preserving the benefits of competitive procurement throughout the selection and evaluation process; and

WHEREAS, in support of this effort, the Mayor and City Council determine that it is in the best interest of the City to waive the provisions of the City Code requiring the use of an Evaluation Committee, thereby consolidating the process and allowing for the evaluation and consideration of all proposals received by the Mayor and City Council; and

WHEREAS, consequently, City staff is requesting authorization of a waiver of the evaluation procedures by the Mayor and City Council, in accordance with Section 7-120(b) of the Procurement Code; and

WHEREAS, the Mayor and City Council desire to waive the evaluation procedures contained in Section 7-138 of the City Code, in accordance with Section 7-120(b) of the Procurement Code, and to authorize the Mayor and City Council to evaluate and select the proposal deemed to be the most advantageous and in the best interests of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Waiver.** The Mayor and City Council of the City of North Miami, Florida, hereby waive the evaluation procedures contained in Section 7-138 of the City Code, in accordance with Section 7-120(b) of the Procurement Code, and authorize the City Council to evaluate and select the proposal considered by them to be in the best interests of the City

Section 2. **Authorization to City Manager.** The Mayor and City Council of the City of North Miami, Florida hereby authorize the City Manager to implement changes to the evaluation procedures for *Request for Proposals (RFP) No. 70-21-22 - Improvements to Claude Pepper Park, Renovations to Joe Celestin Center and Development of Adjacent Vacant Site.*

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 11th day of October, 2022.


PHILIPPE BIEN-AIME
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Deesulme

Vote:

Mayor Philippe Bien-Aime	<u> X </u>	(Yes)	_____	(No)
Vice Mayor Alix Desulme, Ed.D.	<u> X </u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u> X </u>	(Yes)	_____	(No)
Councilwoman Kassandra Timothe, MPA	<u> X </u>	(Yes)	_____	(No)
Councilwoman Mary Estimé-Irvin	_____	(Yes)	_____	(No) Absent