

**RESOLUTION NO. 2023-R-224**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND JAMES DUNCAN AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED NINETY-NINE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$99,750.00), TO PERFORM A STUDY OF THE CITY'S CURRENT IMPACT FEES; WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH SECTION 7-120(B) OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, the City of North Miami ("City") is desirous of procuring a study of the City's current impact fees; and

**WHEREAS**, City staff has received a proposal from James Duncan and Associates, Inc. ("Consultant") to develop new impact fees for stormwater facilities and proposed amendments to the City's impact fee ordinance; and

**WHEREAS**, services will include: project organization/data collection, preparation of draft Impact Fee Study and submittal for staff review, public draft of Impact Fee Study and recommended ordinance amendments, public meetings, final impact fee study revisions/fee calculation spreadsheet, as well as any optional services needed; and

**WHEREAS**, Consultant will provide the services for an amount not to exceed Ninety-Nine Thousand Seven Hundred Fifty Dollars (\$99,750.00); 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**, City staff is requesting authorization of a waiver of competitive bidding procedures by the Mayor and City Council, in accordance with Section 7-120(b) of the Procurement Code, and further authorization for the City Manager and City Attorney to negotiate and execute an agreement with the selected consultant; and

**WHEREAS**, the Mayor and City Council desire to waive competitive bidding procedures in accordance with Section 7-120(b) of the Procurement Code, and to authorize the City Manager and City Attorney to negotiate and execute an agreement with the selected consultant.

**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 competitive bidding procedures in accordance with Section 7-120(b) of the Procurement Code.


**Section 2.**     **Authorization to the City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida hereby authorize the City Manager and City Attorney to negotiate and execute a Professional Services Agreement with James Duncan and Associates, Inc., to perform a study of the City's current impact fees, in an amount not to exceed Ninety-Nine Thousand Seven Hundred Fifty Dollars (\$99,750.00).

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

**PASSED AND ADOPTED** by a 5- 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of November, 2023.

  
ALIX DESULME, ED.D.  
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: Desulme

**Vote:**

Mayor Alix Desulme, Ed.D.

X (Yes)        (No)

Vice-Mayor Mary Estimé-Irvin

X (Yes)        (No)

Councilman Scott Galvin

X (Yes)        (No)

Councilwoman Kassandra Timothe, MPA

X (Yes)        (No)

Councilman Pierre Frantz Charles, M.Ed.

X (Yes)        (No)