

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2020-189**

A RESOLUTION OF THE CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO REJECT THE AWARD OF RFP 2019-035 PARKING GARAGE 7 DESIGN BUILD PROJECT, PURSUANT TO SECTION 1.5 OF THE RFP ENTITLED AWARD OF AN AGREEMENT AND SECTION 2-687(H)(2)(B), AND RE-ISSUE THE PROJECT AS A CONSTRUCTION PROJECT.

**WHEREAS**, the purpose of the Design-Build project (RFP) was to solicit a design-builder to for a new Parking Garage 7 for the City, located at Minorca Avenue between Salzedo Street and Ponce de Leon Blvd., adjacent to the new Public Safety Building (the “Project”); and

**WHEREAS**, RFP 2019-035 was advertised on September 25, 2019 and four (4) firms submitted proposals: Florida Lemark Corporation, KVC Constructors, Inc., OHL Building, Inc., and PCL Construction Services, Inc.; and

**WHEREAS**, on February 4, 2020, the Evaluation Committee recommended an award to Florida Lemark Corporation. Pursuant to Resolution No. 2020-66, the City Commission accepted the recommendation of the Chief Procurement Officer to award the Project to Florida Lemark Corporation in order for the City to proceed with negotiations; and

**WHEREAS**, during the negotiations, Florida Lemark proposed substantial changes to the Professional Services Agreement that the City could not agree to. As part of the negotiation process, the City requested that Florida Lemark submit a Best and Final Offer (BAFO), to which they responded with a final cost for the project to be \$16,987,777, which was not acceptable to the City and thus, negotiations with Florida Lemark were deemed to have failed; and

**WHEREAS**, rather than commencing negotiations with the next most responsive-responsible proposer, the City Manager determined that it would be in the City’s best interest not to move forward with the project as previously solicited, and to proceed with a pure construction project instead of a design-build; and

**WHEREAS**, the Chief Procurement Officer recommends the award cancellation of the Design-Build project and to re-issue as a Construction project;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission accepts the recommendation of the Chief Procurement Officer pursuant to Section 1.5 of the RFP entitled “Award of an Agreement,” and Section 2-687 of the Procurement Code to cancel the award to Florida Lemark, reject all proposals, and re-issue the project as a construction project.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF AUGUST, A.D., 2020.  
(Moved: Keon / Seconded: Mena)  
(Yeas: Fors, Jr., Keon, Lago, Mena, Valdes-Fauli)  
(Unanimous: 5-0 Vote)  
(Agenda Item: H-11)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY