

**City of Coral Gables City Commission Meeting**  
**Agenda Item H-5**  
**July 29, 2009**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Donald D. Slesnick, II**  
**Vice Mayor William H. Kerdyk, Jr.**  
**Commissioner Maria Anderson**  
**Commissioner Rafael “Ralph” Cabrera, Jr.**  
**Commissioner Wayne “Chip” Withers**

**City Staff**

**City Manager, Patrick Salerno**  
**City Attorney, Elizabeth Hernandez**  
**City Clerk, Walter J. Foeman**  
**Deputy Clerk, Billy Urquia**  
**Chief Procurement Officer, Mike Pounds**

**Public Speaker(s)**

**Chester Escobar, General Manager, Impark**

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H-5 [Start: 12:19:03 p.m.]

Resolution accepting the recommendation of the Chief Procurement Officer to award a contract for Parking Cashier Services to Standard Parking, Inc. pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2009.05.29 in the amount of \$275,808.00 per year. Further authorizing an initial three (3) year contract with an option to renew for two (2) additional one (1) year periods.

Mayor Slesnick: Mr. Manager.

City Manager Salerno: [Read the above item into the record].

Mr. Pounds: Submitted for your consideration as a resolution awarding a contract Parking Cashier Services in accordance with RFP 2009.07.29. The proposed contract provides training and uniform, parking cashier attendants and supervisors at the following parking facilities: Garage 1 at 245 Andalusia; Garage 2 at 220 Aragon; Garage 4 at 385 Andalusia Avenue; and Garage 6 at 51 Aragon Avenue. During certain hours of the day and certain days of the week are required by the City. On May 28, 2009, the Procurement Division of Finance formally advertised, issued and distributed RFP 2009.05.29. On June 17, 2009, eleven (11) responses were received with eight (8) responsive proposals submitted by Impark, Standard Parking, Central Parking, Laz Parking, Ampco Parking, Five Star Parking, Sereca Parking, Double Parking, and one non-responsive proposal submitted by Quick Park, and two no bids. On July 20, 2009, a Selection Committee completed their evaluation based on Experience of Proposer,

City Commissioner Meeting

July 29, 2009

Agenda Item H-5 – Recommendation Chief Procurement Officer to award  
Contract for Parking Cashier Services

and Key Personnel, Methodology, and Approach to Management of Services, Past Performance. While the Procurement Division of Finance opened sealed pricing and evaluated the hourly rates submitted by the proposers. The Procurement Division of Finance prepared a composite rank of proposers, consisting of the results of the selection committee evaluation, and the hourly billing evaluation. The results of the composite ranking has Standard Parking Inc. with the highest overall rating, therefore they are recommended to be awarded this contract.

Mayor Slesnick: OK, very good. Do you have a motion?

Commissioner Anderson: I'll move it.

Commissioner Cabrera: Second.

Mayor Slesnick: Been moved by Ms. Anderson seconded by Mr. Cabrera. Now, do we have a protest filed?

City Attorney Hernandez: No, you have a notice of intent to file protest; the provisions of our Code are quite clear that the written protest has to have been filed with the filing fee with the City Clerk's office, if not basically they are not entitled to seek redress before the City Commission or seek judicial relief without first having filed that procedure. While they have time to, the timeline allow them to file later, this does not prevent the Commission from continuing its course of action, all the parties are aware that the Commission is continuing with its course of action, I don't believe that the Manager has determined that its appropriate to defer it, so its appropriately before you for consideration today, unless the Manager has a different recommendation.

City Manager Salerno: No.

Mayor Slesnick: OK. I have the City Attorney to request to speak on this issue by persons, I presume representing other.

City Attorney Hernandez: It is an individual who is intending to protest or challenge, they are not appropriately before the City Commission, so at this point it's up to the Commission whether they wish to hear or not.

Mayor Slesnick: OK. Mr. Ivan Ramos...

Commissioner Cabrera: But Mr. Mayor...

Mayor Slesnick: I'm just going to ask what their intent is?

Commissioner Cabrera: Oh, OK.

Mayor Slesnick: Mr. Ivan Ramos, Mr. Chester Escobar. One last call for Mr. Ivan Ramos or Mr. Chester Escobar to come forward and state what your purpose is and what you would seek.

Mr. Escobar: I'm sorry; I thought that if we had an intent to protest we could not speak.

Mayor Slesnick: Well that's why I'm asking, I'm giving you the courtesy of saying, you heard the City Attorney rule it, but I didn't know if you were going to ask us to continue the hearing or...

Mr. Escobar: Yes, I wanted to make, I wanted to just make you aware of the discrepancies in the process period, but...

Mayor Slesnick: Well, the problem is our City Attorney has ruled that unless you had filed the proper protest that we can't hear that. I'm not suggesting to you that the City Manager or this Commission would not be, not at this time, if you found discrepancies that you want to bring to our attention for future, if they are bad enough who knows, we may come back and reconsider later, but certainly if you had filed those with the City Attorney or with the Manager...

Mr. Escobar: It was made very clear that the protest was going to be denied, so...

Mayor Slesnick: I appreciate that, but what I'm saying is for future reference that we may very well need to hear what you have to bring to our attention, and nothing is ever closed for sure, if we found fatal deficiencies that we missed, we may bring it back. So if you'd stay in communication with our City Attorney, I'd appreciate it.

Mr. Escobar: Thank you, will do.

Mayor Slesnick: And you are Mr....

Mr. Escobar: Mr. Chester Escobar, General Manager.

Mayor Slesnick: Your appearance will be on the record and be so noted. OK, we have a motion and a second...

Commissioner Cabrera: I'm just a little confused. Given the fact that this gentleman...

Mayor Slesnick: It's not of legal consequence.

Commissioner Cabrera: I understand, I think I understand; given the fact that this gentleman did not go through the official protest process because based upon what I think he said he heard, he would not win the protest, and based upon the fact that the City Attorney has advised the City Commission that a formal protest has not been issued, is this matter then closed?

Mayor Slesnick: Yes. It's closed when we vote on it, but my comment was that any government especially us and the way we have conducted ourselves over the last eight years, if he knows of some horrible, egregious issue he brings to our attention, we can very well open it up, that's all. I didn't talk about procedural...

Commissioner Cabrera: Oh, absolutely, I just wanted to clearly understand, and I'm sorry for not...

Mayor Slesnick: I don't know that I made myself clear.

Commissioner Cabrera: I think you did, no one else has asked you these questions, obviously I'm the one that didn't understand.

Commissioner Withers: When does this new contract start?

Mr. Pounds: It starts at the end of August. We have an extension through, I believe, August 27<sup>th</sup> or 28<sup>th</sup>.

Commissioner Withers: Well Don, following up on what you said, if we started a new contract period, it's hard for us to make any changes based on...

Mayor Slesnick: It would be hard for us, but if there was something of collusion or some underlying horrible thing, we'd always be, obviously the contract could be challenged. I was just trying to indicate to the gentleman that there is always a justice system somewhere in the world that might address a horrible incongruity, that's all. I mean, I am comfortable in the fact that our Manager and our Procurement Director has told us that everything is done properly.

Commissioner Cabrera: I'm very comfortable also.

Commissioner Anderson: I'm fine.

Commissioner Cabrera: I don't want to give Standard Parking the impression that I have any concerns about their ability to perform, I'm just looking more from that attempted protest that never took place; and incidentally, I do want to make one more comment, if in fact this gentleman was correct that his protest would not win, I don't know why we would even consider saying something like that, you want to comment on that Mr. Pounds.

Mr. Pounds: There is a process that will be followed if he files a protest, and that has not taken place, so I don't know why he would make that statement.

Commissioner Cabrera: OK. Thank you sir.

**Mayor Slesnick: We have a motion, I've forgotten. Thank you. Mr. Clerk call the roll.**

**Commissioner Withers: Yes**

**Commissioner Anderson: Yes**

**Commissioner Cabrera: Yes**

**Vice Mayor Kerdyk: Yes**

**Mayor Slesnick: Yes**

**(Vote: 5-0)**

Mayor Slesnick: Thank you.

[End: 12:28:00 p.m.]