

City of Coral Gables City Commission Meeting
Agenda Item H-2
March 10, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Pat Keon

Commissioner Vince Lago

Commissioner Frank Quesada

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item H-2 [10:41:32 a.m.]

A Resolution accepting the recommendation of the Public Works Director to authorize contract negotiations with State Contracting and Engineering Corporation (SCEC), and if necessary, with the other shot-listed firm, as the Construction Manager at Risk for the Miracle Mile and Giralda Avenue Streetscape project pursuant to Section 2-1089 of the City of Coral Gables Code of Ordinances and Request for Qualifications (RFQ) 2015.12.05.

Mayor Cason: H-2 – City Attorney.

City Attorney Leen: Thank you Mr. Mayor. One moment. Item H-2 – the reason I was taking a moment is there has been a protest filed as to this item, but let me read it into the record first. Item H-2 is A Resolution accepting the recommendation of the Public Works Director to authorize contract negotiations with State Contracting and Engineering Corporation (SCEC), and if necessary, with the other shot-listed firm, as the Construction Manager at Risk for the Miracle Mile and Giralda Avenue Streetscape project pursuant to Section 2-1089 of the City of Coral

Gables Code of Ordinances and Request for Qualifications (RFQ) 2015.12.05. Mr. Mayor this morning the City received a written protest and a filing fee of \$2,500, which is the standard filing fee from Rickman, which is one of the entities that bid on this project that submitted a proposal. So what that does under our Code and that's under section 2-950(h), that automatically stays the procurement, so I know that there is a representative here, I believe from Rickman, I'm not sure if there is from SCEC. You are welcome to hear from them briefly, but you should not resolve the protest today because under our Code what will happen is our Chief Procurement Officer has ten (10) days in which to prepare a report to the City Manager in conjunction with the City Attorney, which will make his recommendation to the City Manager, and the City Manager will review it and then make her recommendation to you as to how to resolve the protest. She also has some authorities on her own to resolve the protest, so all that should occur before it comes back to you, and then you make the final decision as to whether how to proceed with the procurement. So with that I would turn it back to the Mayor. Mr. Mayor.

Mayor Cason: OK. So do we need to make any kind of a resolution? Does Rickman want to say anything now or do you want to wait and make the presentation when this is back to us?

Commissioner Quesada: Yes, it's not ripe for discussion right now.

City Attorney Leen: No. I was told that you might want to say a few words. They can resolve any of the issues you raised in your protest.

Commissioner Lago: Let's wait.

Mayor Cason: Let's wait. I think on both sides when it comes back to us so we can hear. Thank you for getting up and down, we appreciate it. So I think that – I guess the correct term is deferred.

City Attorney Leen: It's automatically stayed by operation of the Code, so in my opinion it doesn't require a motion. I know that the Clerk as a parliamentary matter, if it's OK with the Commission will probably want a unanimous consent vote or vote staying the matter until...

Mayor Cason: We all agree?

Commissioner Quesada: I move to stay.

Commissioner Lago: I move to stay also.

Mayor Cason: OK – unanimous.

Commissioner Lago: Quick question, just one item. When will this come before the Commission again, do you have an idea?

City Attorney Leen: He has ten (10) days, but the Manager has certain authority that she can exercise, so I don't want to limit that because she hasn't had a chance to look at it yet, but it could be in the next meeting or in the meeting in April or it could be later.

Commissioner Lago: OK. Perfect.

[End: 10:44:50 a.m.]