



AGENDA ITEM COVER PAGE

File ID: #18888

Ordinance

Sponsored by: Miguel Gabela, Commissioner

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 18/ARTICLE III OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "FINANCE/CITY OF MIAMI PROCUREMENT ORDINANCE", BY AMENDING SECTION 18-119, TITLED "UNSOLICITED PROPOSALS", TO CLARIFY THE PROCESS FOR EVALUATING UNSOLICITED PROPOSALS RECEIVED BY THE CITY AND PROVIDING FOR UNSOLICITED PROPOSALS TO BE PRESENTED TO THE CITY COMMISSION; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.



City of Miami

Legislation

Ordinance

File Number: 18888

Final Action Date:

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WHEREAS, Chapter 18/Article III of the Code of the City of Miami, Florida, as amended ("City Code"), titled "Finance/City of Miami Procurement Ordinance," establishes requirements and procedures governing City procurement, including the receipt and evaluation of unsolicited proposals; and

WHEREAS, Section 18-119 of the City Code, titled "Unsolicited Proposals," provides, in part, for public notice and the receipt of competing proposals when the City receives an unsolicited proposal for a qualifying project; and

WHEREAS, the City Commission finds that the existing wording in Section 18-119(e) may be construed to require placement of an unsolicited proposal on a City Commission agenda only when the City desires to enter into an agreement with the submitting private entity or consortium; and

WHEREAS, the City Commission desires to clarify that, upon receipt of an unsolicited proposal for a qualifying project pursuant to Section 18-119, the City Manager shall notify the City Commission by placement of a discussion item on the next available City Commission meeting agenda, prior to the City taking further action to proceed with the unsolicited proposal process as set forth in Section 18-119(e); and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Chapter 39/Article II of the City Code is amended in the following particulars:¹

"CHAPTER 18"

FINANCE

* * *

¹ Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

ARTICLE III. CITY OF MIAMI PROCUREMENT ORDINANCE

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Sec. 18-119. – Unsolicited Proposals.

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(e) Public notice. If the city receives an unsolicited proposal for a qualifying project pursuant to this section, ~~and the city desires to enter into an agreement with the private entity or consortium of private entities submitting same,~~ the City Manager shall ~~first~~ notify the district commissioner representing the commission district in which the qualifying project is located, as identified in the unsolicited proposal, and brief the commissioner on the content of the unsolicited proposal within 15 days of receipt of said proposal. If the qualifying project includes real property located in more than one commission district, the City Manager shall notify and brief each such district commissioner within 30 days of receipt of said proposal. If any such district commissioner desires to further consider the unsolicited proposal, the City Manager must notify the commission of the receipt of said unsolicited proposal by placement of a discussion item on the next available commission meeting agenda. Upon the commission's approval to proceed with said unsolicited proposal project, the city shall publish public notice in the Florida Administrative Register, on the city's procurement website and/or via the on-line procurement/bidding platform, and a newspaper of general circulation at least once a week for a minimum of two weeks stating that the city has received an unsolicited proposal and that the city will accept other proposals for the same qualifying project. The city shall additionally furnish a copy of the same notice to any homeowners or neighborhood associations currently registered with the city in the designated area. The city shall set forth in each such request for proposals the criteria to be evaluated and how such private partner shall be selected from the proposals submitted. The entity submitting the original unsolicited proposal may submit a more detailed proposal in response to the city's notice. The timeframe for allowing other proposals shall be no fewer than 21 days but no more than 120 days after the initial date of publication. A copy of the notice must be mailed to each local government in the affected area of the qualifying project which shall mean Miami-Dade County and/or any municipality and/or special district in which all or a portion of the qualifying project is located.

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Section 3. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective immediately upon final reading and adoption thereof.²

APPROVED AS TO FORM AND CORRECTNESS:


George R. Wyning III, City Attorney 2/3/2026


George R. Wyning III, City Attorney 3/12/2026

² This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.