

CITY OF PARKLAND CITY COMMISSION AGENDA SUMMARY

Meeting Date: June 17, 2009 Agenda Item _____

REQUESTED COMMISSION ACTION:

2009-27

 Consent X Ordinance Resolution Consideration Workshop

SHORT TITLE First Reading of an Ordinance to provide for a procedure to retain the services of more than one bidder

Summary of Purpose and Why:

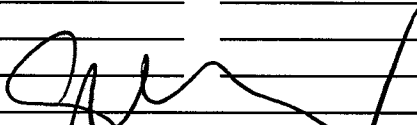
At a recent City of Parkland City Commission meeting, the City Commission desired to retain the services of two companies who submitted bids for the same services. The City Commission felt that there may be a need for more than one contractor to provide the services. In order to provide the most flexibility within the competitive process, the City Attorney recommends amending the Code of Ordinances to provide for procedures to allow the City to retain services of more than one bidder where it is in the best interest of the City.

The City Attorney is recommending approval of Ordinance 2009-27.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Andrew Maurodis, City Attorney
- (2) Primary staff contact: Caryn Gardner-Young, City Manager Ext. 4112
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

<u>DEPARTMENTAL COORDINATION</u>	<u>DATE</u>	<u>DEPARTMENTAL RECOMMENDATION</u>	<u>DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER</u>
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<u>X</u> City Manager			
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ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
1 st Reading _____	_____	Results: _____	Results: _____
2nd Reading _____	_____	_____	_____

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ORDINANCE NO. 2009 - 27

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AMENDING SECTION 2-143 OF THE CITY CODE RELATING TO PROCUREMENT; PROVIDING FOR A PROCEDURE TO RETAIN THE SERVICES OF MORE THAN ONE BIDDER WHERE THERE IS A REQUEST FOR A PROPOSAL OR WHERE IT IS IN THE BEST INTERESTS OF THE CITY TO RETAIN THE SERVICES OF MORE THAN ONE PROPOSER; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Parkland wishes to provide the utmost flexibility within the competitive process to assure that the City will have contractors necessary to fully meet the needs of the City; and

WHEREAS, the City Commission determined that after receiving sealed requests for a proposal that more than one contractor is qualified to provide services and there may be a need for more than one contractor to provide said services; and

WHEREAS, where said conditions exist, the City Commission wishes to have the flexibility of retaining more than one contractor under the conditions as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, AS FOLLOWS:

SECTION 1. The above referenced Whereas clauses are true and correct and made a part hereto.

SECTION 2. Section 2-143.5 of the City Code relating to award of bids is hereby amended to contain the additional subsection (h) as follows:

(h) The City Commission may in its discretion determine to award a contract to more than one of the qualified bidders under the following circumstances:

(i) Where the contract is not one for construction;

(ii) Where the Commission finds that the nature of the work is such that it would be in the bests interests of the City to have an additional contractor available to provide the services or product required;

(iii) Where the additional contractor is the next highest qualified contractor resulting from the City's analysis;

(iv) The City shall require that the price charged by both contractors represents the lowest price bid by each contractor on each element of the contract, thus assuring that the City has received the lowest prices bid among the two contractors.

1 The Commission may determine that the contractors shall share the work equally or that
2 one will be the main contractor and the other the back-up contractor to be called as needed.
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4 **SECTION 3.** It is the intention of the City Commission and it is hereby ordained that the
5 provisions of this ordinance shall become and be made a part of the Code of Ordinances of the
6 City of Parkland, Florida, and the sections of this ordinance may be renumbered to accomplish
7 such intent.
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9 **SECTION 4.** If any word, phrase, clause, sentence, or section of this ordinance is for any
10 reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any
11 remaining portions of this ordinance.
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13 **SECTION 5.** That this ordinance shall be in full force and effect immediately upon its
14 passage and adoption.
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16 PASSED AND ADOPTED ON FIRST READING THIS ___ DAY OF _____, 2009.
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18 PASSED AND ADOPTED ON SECOND READING THIS _____ DAY OF _____,
19 2009.
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24 _____
25 MICHAEL UDINE, MAYOR

26 ATTEST:
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29 _____
30 SANDRA COUZZO, C.M.C., CITY CLERK
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32 APPROVED AS TO FORM AND LEGALITY
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36 ANDREW S. MAURODIS, CITY ATTORNEY
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