



MEMORANDUM

Date: January 07, 2025

To: Honorable Mayor and Commissioners

CC: Christina Bervaldi
Director of Finance

From: Lucas Torres-Bull
Procurement Manager

Sponsor: Todd Stoughton
Interim City Manager

Subject: **File ID 25-3242 - Proposed New Ordinance to Define and Add a Procurement Procedure for Public-Private Partnership (P3) Procurements.**

Introduction

This memorandum is to inform the Mayor and City Commissioners of a proposed ordinance for the City of Key West that has been developed in response to the recent passage of House Bill 781, amending s. 255.065, F.S. which provides new statutory guidelines for the use of Public-Private Partnerships (P3) in Florida. This ordinance will establish a framework for facilitating and managing P3 projects within our city, ensuring compliance with the enacted state law while also promoting effective collaboration between the public and private sectors.

Background

House Bill 781, which was approved by the Governor on April 16, 2024, provides local governments with enhanced authority and guidance to enter public-private partnerships for projects involving infrastructure, facilities, and services. The new law requires municipalities to adopt local ordinances that align with the state's revised procedures and requirements for P3 agreements.

Cost

This measure does not create any costs for the City.

Options

1. To approve the proposed ordinance which defines public-private procurement and establishes procedures in which the City shall follow.
2. To deny the proposed ordinance.

Procurement

Unsolicited proposals for Public-Private Partnerships; Authorizes, rather than requires, responsible public entity to publish notice of unsolicited proposal for qualifying project in specified manner & that other proposals for same project will be accepted; authorizes responsible public entity to proceed with unsolicited proposal for qualifying project without public bidding process if responsible public entity holds public meeting that meets certain requirements & holds a subsequent public meeting at which responsible public entity makes certain determination; requires responsible public entity to consider certain factors; requires responsible public entity to publish certain report in Florida Administrative Register for certain period in certain circumstances; revises certain determinations that responsible public entity must make before approving comprehensive agreement.

Recommendation

Staff recommend the Mayor and Commission approve a resolution authorizing the passage of the new City of Key West Ordinance that derives from the passage of House Bill 781, amending s. 255.065, F.S.

Attachments:

Ordinance

Cover Memo