

## Keri O'Brien

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**From:** Kendal Harden  
**Sent:** Wednesday, July 30, 2025 5:34 PM  
**To:** Keri O'Brien  
**Subject:** FW: RFPS 25-005, 25-006 and 25-007

### Kendal Lyn Harden, Esq.

Interim City Attorney  
City of Key West | City Attorney's Office  
1300 White Street  
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**From:** Lucas Torres-Bull <lucas.torresbull@cityofkeywest-fl.gov>  
**Sent:** Wednesday, May 28, 2025 12:39 PM  
**To:** Commissioners <Commissioners@cityofkeywest-fl.gov>  
**Cc:** Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Kendal Harden <kendal.harden@cityofkeywest-fl.gov>; Christina Bervaldi <cbervaldi@cityofkeywest-fl.gov>; Keri O'Brien <kobrien@cityofkeywest-fl.gov>  
**Subject:** Re: RFPS 25-005, 25-006 and 25-007

Good afternoon, Mayor and City Commission-

I would like to provide a point of clarification regarding the previous communication referencing the proposals submitted in response to the recent Request for Proposal (RFP), as discussed in the email from the Hayes Robertson Group.

Upon thorough evaluation by the evaluation committee, it was determined that only one proposal submitted per RFP was deemed *responsive*—specifically, the submission from Hayes Robertson Group. The proposals submitted by Tropical Shell and Gift were classified as *non-responsive* due to the omission of required addendum documents.

Addenda serve a critical function in the competitive solicitation process. They formally communicate any amendments to the original solicitation, including but not limited to changes in project scope, adjustments to timelines, modifications to submission requirements, and clarifications to technical

specifications. These documents ensure that all proposers are operating with the same information and are given an equal opportunity to respond appropriately.

The failure of Tropical Shell and Gift to acknowledge and submit the required addenda constituted a material deviation from the submission requirements outlined in the RFP. In contrast, the Hayes Robertson Group complied with all submission instructions, including the inclusion of the addendum documentation. In accordance with procurement best practices and to preserve the integrity and fairness of the competitive process, we were obligated to disqualify the non-compliant proposals submitted by Tropical Shell and Gift.

However, it is important to underscore that, while the Hayes Robertson Group's proposal was responsive, the receipt of only one qualifying submission inherently limits the competitive value of the solicitation. A single responsive proposal restricts our ability to perform a comparative analysis of proposed methodologies, pricing structures, and value-added services, and reduces the opportunity to leverage competition to the City's benefit.

Procurement remains committed to promoting transparency, fairness, and competition in all solicitation processes. We will continue to evaluate internal practices and outreach strategies to encourage broader participation and ensure that future procurements yield a more robust competitive environment.

Please note that staffs recommendation will be provided in the cover memo submitted with each Legistar agenda item.

Sincerely,

Lucas Torres-Bull

Procurement Manager

1300 White Street, Key West, FL 33040

Ext: 305-809-3807



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**From:** Keri O'Brien <[kobrien@cityofkeywest-fl.gov](mailto:kobrien@cityofkeywest-fl.gov)>

**Sent:** Tuesday, May 27, 2025 5:30 PM

**To:** Commissioners <[Commissioners@cityofkeywest-fl.gov](mailto:Commissioners@cityofkeywest-fl.gov)>

**Cc:** Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Kendal Harden <kendal.harden@cityofkeywest-fl.gov>; Lucas Torres-Bull <lucas.torresbull@cityofkeywest-fl.gov>  
**Subject:** Fw: RFPs 25-005, 25-006 and 25-007

Good evening Mayor and Commissioners - please see below. Thank you.

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**From:** jack .flats <jackflats509@gmail.com>  
**Sent:** Tuesday, May 27, 2025 3:25 PM  
**To:** Keri O'Brien <kobrien@cityofkeywest-fl.gov>  
**Subject:** [EXTERNAL] RFPs 25-005, 25-006 and 25-007

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Keri,

If possible, please forward to the Mayor, City Commissioners, City Manager, and City attorney.

In accordance with Sec 2-773, (c) (2) (A)(B) Please find this email regarding the City of Key West Purchasing Office's RFPs 25-005, 25-006, and 25-007.

These RFPs were issued on April 3, 2025. Mandatory site walk-throughs were held on April 15, and April 16, 2025. Bids were due on May 5, 2025 at 3:00PM. Two bids were opened in response to each of these three RFPs on May 12, 2025.

The City's selection committee met this morning to evaluate and select the proposal which best meets the interests of the City.

One of the proposals for all three RFPs was determined to be non-responsive, leaving only one response for each of the RFPs. In addition to Demandstar and the City's paid and online efforts to advertise these RFPs, local media ran stories about them. The RFPs were not a secret.

My company's (Hayes Robertson Group Inc) proposals were responsive to the City's Request. My company is qualified to execute its development and operational plans. My Company's proposal was the only responsive submission. I would like to get to work on this project as soon as possible.

I look forward to discussing my company's plan in detail and hopefully the approval of my solicitations for the RFPs at the City Commission meeting on June 4, 2025.

I agree with the guiding principles of the Mallory Square Master Plan as well as the vision statement from the Plan and have submitted proposals true to the plan's intent.

*The revitalization of Mallory Square will preserve what makes it special: its panoramic sunset views, flexible performance spaces and connections to Key West's past.*

*It will also make the Square a destination beyond Sunset Celebration, by incorporating new amenities, shade, furnishings, plants and a refreshing water feature.*

*The Vision for Mallory Square responds to the Five Guiding Principles developed over the course of community and stakeholder engagement:*

*1. Be Unapologetically Key West*

*2. Elevate the Creative Community*

*3. Connect City to Sea*

*4. Embrace Today, Plan for Tomorrow*

*5. Activate the Square Sunrise to Sunset*

Shade, flexible performance spaces, a unique water feature, panoramic sunset views, unique new amenities, and a destination beyond the Sunset Celebration; these are part of our proposal. My company plans to make a significant investment of time and money to help implement the Master Plan, and to make a profit. The uses that I am proposing were included in those ideas suggested by the City in the RFP documents, and creatively rehabilitates and adaptively re-uses historic structures.

A waterfront food and beverage operation is unapologetically Key West. Including coral restoration with an appreciation for its waterfront history are Key West. We should not apologize for finally putting this area to productive use.

We are proposing adding shade, public art and will be working with the world renowned Delta Fountains to create a water feature that adaptively re-uses the cable tanks and also allows for play and conversion to a dry entertainment area. The working concept is something similar to what delta developed at Centennial Square Park in West Palm Beach. We have proposed developing entertainer areas, and providing storage for Sunset celebrators of the Cultural Preservation Society.

Enhanced decks and walkways will facilitate the connection to the Sea.

The Mallory Steamship museum and the coral restoration and replanting project and the public deck area will provide an interesting and informative link between the past and present.

The food and beverage operation will activate the square for extended hours, and provide revenue to pay for the improvements.

Hayes Robertson Group Inc is qualified. Hayes Robertson Group made the only responsive bid to the City's Requests for Proposals 25-005, 25,006 and 25-007. The City's residents and tourists have waited long enough to get a rehabilitated Mallory Square. Hayes Robertson Group Inc. will be a great development partner for the City to address some of the issues at Mallory Square.

Written communication under the cone of silence ordinance 2-773 must be made part of the public record, and be filed with the City Clerk.

Under 2-773 oral communication regarding these RFPs by any vendor or their representative with city staff in private is prohibited.

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Regards,

Joe Walsh  
Hayes Robertson Group Inc  
305-731-9972