



CITY MANAGER'S OFFICE MEMORANDUM

TO: Bob Vitas, City Manager
FROM: Mark Z. Finigan, Assistant City Manager
DATE: March 21, 2013
SUBJECT: Extension of SHAL / CKW KOTS Agreement

ACTION STATEMENT:

Respectfully request City Commission authorize the City Manager to execute an amendment (pursuant to City of Key West Code of Ordinances Section 2-797(4)(b) Best Interest of City) of the Agreement between the City of Key West (CKW) and the Southernmost Homeless Assistance League (SHAL) for the daily management of a temporary homeless center, (referred to as KOTS – Keys Overnight Temporary Shelter) located on Stock Island. Such an amendment would allow for the agreement to extend past the original term expiration of September 30, 2012 on a month to month basis until such time the City Commission determines the daily management of KOTS should be solicited and made available to other qualified service providers. City Manager execution shall be conditioned upon final review by the City Attorney of said amendment.

BACKGROUND:

The original Agreement approved by Resolution No. 12-096 called for a one year management relationship starting October 1, 2011 and ending September 30, 2012. The Agreement did not provide a provision for an extension. Services rendered subsequent to the September 30, 2012 expiration have been at the pleasure of both parties with the understanding that the terms and conditions of the October 1, 2011 through September 30, 2012 Agreement would govern. The requested amendment would allow for the agreement to extend past the original term expiration of September 30, 2012 on a month to month basis.

Code Section 2-797(4)(b) provides for the exemption of contractual services if in the opinion of the City Manager exceptional circumstances exists to exempt such services from competitive bidding. Possible selection of a new KOTS manager/operator is problematic given the current legal issues surrounding the current KOTS location. Additionally, while the City evaluates alternative sites for possible KOTS relocation it is imperative the City considers operational/functional necessities of such sites under

consideration. The current operator is in a unique position to provide the City such critical design considerations. Recommendation would be to defer the solicitation for a long term operator until such time a permanent KOTS site has been selected, designed and constructed.

FINANCIAL IMPACT:

No impact.

RECOMMENDATION:

Approve an amendment which would allow for the Agreement to extend past the original term expiration of September 30, 2012 on a month to month basis until such time the City Commission determines the daily management of KOTS should be solicited and made available to other qualified service providers. City Manager execution shall be conditioned upon final review by the City Attorney of said amendment.