RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA REJECTNG ALL BIDS RECEIVED IN RESPONSE TO RFP #25-004 FOR IMPLEMENTATION OF THE CITY'S WATER QUALITY MONITORING PROGRAM; DIRECTING THE CITY MANAGER TO MAKE THE REQUESTED CHANGES TO THE REQUEST FOR PROPOSAL; DIRECTING THE CITY MANAGER TO SOLICIT THE REQUEST FOR PROPOSAL WITH THE REQUESTED CHANGES;DIRECTING THE CITY MANAGER TO REVIEW AND ASSESS THE PROCESSES FOR SCORING CALCULATIONS; DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO DETERMINE COMPLIANCE WITH THE CONE OF SILENCE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 20, 2025, the City of Key West issued Request for Proposals 25-004 (hereinafter RFP 25-004) soliciting proposals from qualified firms to design and execute a comprehensive Water Quality Monitoring Program for the City of Key West, Florda with qualifications packages due in the City Clerk's Office by 3:00 PM on April 10, 2025; and

WHEREAS, RFP 25-004 was publicly advertised and, at the close of the solicitation period on April 17, 2025, the following five (5) responsive proposals listed below were received; and

1. RES Florida Consulting, Inc.
2. Ecological Associates, Inc.
3. Intertek PSI
4. Stantec Consulting Services, Inc.
5. Mote Marine Laboratory

WHEREAS, each proposal was evaluated and ranked by the Selection Committee in accordance with the criteria outlined in RFP 25-004, which were made available to all prospective proposers. Evaluation criteria included both qualitative and quantitative metrics intended to assess the firms' technical capability, experience, methodology and cost efficiency; and

WHEREAS, at the Selection Committee meeting held to rank the proposals received for RFP #25-004 for presentation to the Commission, citizens expressed concern the RFP did not include neither the citations or the language set forth in the City's Code of Ordinances, defining some of the most critical water quality monitoring services to be performed under this RFP as it relates to cruise ships, more specifically Sec. 80-1. through 80-5., Chapter 80. *Cruise Ship Regulations*. requiring water quality testing *in the waterways of Key West*, which are defined to mean the water six hundred (600) feet into the tidal waters adjacent to the City of Key West's corporate limits, including the waters adjacent to Pier B, the turning basin, and a portion of the ship channel until 600 feet past the point of Ft. Zachary Taylor.; and

WHEREAS, attendees at the meeting also expressed concern that a conflict of interest may exist regarding one of the proposals received; and

WHEREAS, RFP #25-004 did not require submission of a sworn Disclosure and Declaration of No Conflict of Interest; and

WHEREAS, the term "independent" was not specifically defined within RFP #25-004 to provide further clarification; and

WHEREAS, allegations were made regarding incorrect scoring calculations, which were subsequently re-calculated; and

WHEREAS, concern was expressed regarding compliance with the Cone of Silence as it relates to RFP #25-004; and

WHEREAS, it is the desire of the City Commission to ensure the most thorough and effective water quality monitoring program is in place to continually test the waters surrounding the City of Key West to ensure the health and quality of our waterways,

coral reefs and overall marine environment for generations to come;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section1: The Commission hereby rejects all bids received in response to RFP #25-004 issued by the City on March 20, 2025 for implementation of the City's Water Quality Monitoring Program.

Section 2: The Commission hereby directs the City Manager to prepare a new Request for Proposal for implementation of the City's Water Quality Monitoring Program to include:

- Sec.80-1.- Sec.80.5, Chapter 80., Cruise Ship Regulations. of the Code of Ordinances, City of Key West, Florida and for implementation of the City's Water Quality Monitoring Program.
- A Disclosure and Declaration of No Conflict of Interest form to be completed, sworn and submitted with the responding proposal.

Section 3: The Commission further directs the City Manager to review and assess allegations of incorrect scoring calculations and make the necessary corrections to City processes to prevent future occurrences.

Section 4: The Commission direct the City Manager, in coordination with the City Attorney, to determine the City's compliance with the Cone of Silence policy regarding RFP #25-004 and take corrective action, if/as necessary.

Section 5: This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the Commission on _____day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald "Donie" Lee	_____

_____
DANISE HENRIQUEZ, MAYOR

ATTEST:

_____
KERI O'BRIEN, CITY CLERK